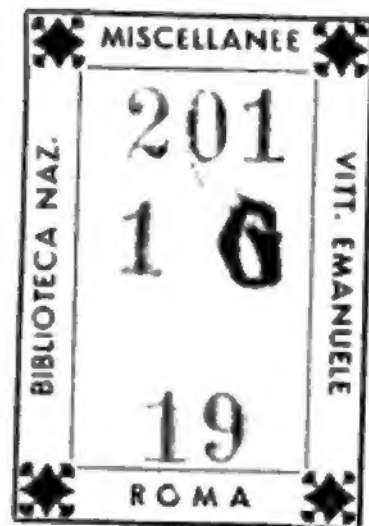












THE RIGHT REVEREND GILBERT BURNET.

*Bis. Bishop of Salisbury*

**BISHOP BURNET'S**  
**HISTORY OF HIS OWN TIME.**

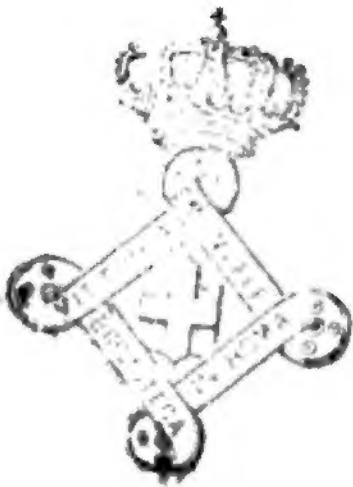
**BISHOP BURNET'S**  
**HISTORY OF HIS OWN TIME:**

FROM THE

RESTORATION OF KING CHARLES THE SECOND

TO THE TREATY OF PEACE AT UTRECHT,

IN THE REIGN OF QUEEN ANNE.



*A New Edition,*

WITH HISTORICAL AND BIOGRAPHICAL NOTES

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## ADVERTISEMENT.

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IN publishing the present edition of this Standard History, an attempt has been made to effect a combination of elegant typography, with the greatest possible degree of cheapness ; and it is presumed that a reference to the appearance and price of the volume, will sufficiently prove the practicability of the experiment.

Another motive to publish this Work in its present form, existed in a desire to circulate as widely as possible the best history of that period of our existence as a nation, which is by far the most interesting to every lover of freedom.

With the view of rendering the Work more acceptable, numerous biographical notices, as well as remarks on the most important historical events, have been introduced ; and, as a whole, the present, it is hoped, will be found the most correct and useful edition of this celebrated History that has appeared.

# CONTENTS.

## BOOK I.

|                                                                                   | PAGE |                                                                         | PAGE |
|-----------------------------------------------------------------------------------|------|-------------------------------------------------------------------------|------|
| The distractions during King James's minority . . .                               | 1    | <u>The opposition of the general assembly to the parliament</u> . . .   | 26   |
| The practices of the House of Guise . . .                                         | ib.  | The ministers made an insurrection . . .                                | ib.  |
| King James in the interest of England . . .                                       | 2    | The treaty in the Isle of Wight . . .                                   | 27   |
| A censure of Spotswood's History . . .                                            | ib.  | Cromwell's dissimulation . . .                                          | ib.  |
| King James studies to gain the papists . . .                                      | 3    | The men chiefly engaged in the taking the king's life                   | 28   |
| And to secure the succession to the crown of England . . .                        | ib.  | The king's behaviour . . .                                              | ib.  |
| <u>That king's errors in government</u> . . .                                     | ib.  | The affair of Rochelle . . .                                            | 29   |
| <u>He sets up episcopacy in Scotland</u> . . .                                    | ib.  | <u>A design of making the Spanish Netherlands a commonwealth</u> . . .  | 30   |
| <u>With a design to carry matters further</u> . . .                               | 4    | <u>The ill effects of violent counsels</u> . . .                        | ib.  |
| <u>Errors of the bishops</u> . . .                                                | ib.  | <u>The account of Εἰκὼν Βασιλική</u> . . .                              | 31   |
| <u>Prince Henry was believed to be poisoned</u> . . .                             | ib.  | <u>The Scots treat with King Charles II.</u> . . .                      | 32   |
| The Gunpowder Plot . . .                                                          | ib.  | Montrose's offers . . .                                                 | 34   |
| King James was afraid of the Jesuits . . .                                        | 5    | And death . . .                                                         | ib.  |
| The Elector Palatine's marriage . . .                                             | ib.  | The defeat at Dunbar . . .                                              | 35   |
| The affairs of Bohemia . . .                                                      | ib.  | Disputes about the admitting all persons to serve their country . . .   | 36   |
| The disorders in Holland . . .                                                    | 6    | Great hardships put on the king . . .                                   | 37   |
| Some passages of the religion of some princes . . .                               | ib.  | Scotland was subdued by Monk . . .                                      | 38   |
| King James parted with the cautionary towns . . .                                 | 7    | A body stood out in the Highlands . . .                                 | ib.  |
| King James broke the greatness of the crown . . .                                 | ib.  | Sir Robert Murray's character . . .                                     | 39   |
| Other errors in his reign . . .                                                   | 8    | Messages sent to the king . . .                                         | ib.  |
| His death . . .                                                                   | ib.  | The state of Scotland during the usurpation . . .                       | 40   |
| The puritans gained ground . . .                                                  | 9    | Disputes among the covenanters . . .                                    | ib.  |
| Gowry's conspiracy . . .                                                          | ib.  | Methods taken on both sides . . .                                       | 41   |
| King Charles at first a friend to the puritans . . .                              | 10   | Some of Cromwell's maxims . . .                                         | 42   |
| He designed to recover the tithes and church lands in Scotland to the crown . . . | ib.  | His design for the kingship . . .                                       | 44   |
| He was crowned in Scotland . . .                                                  | 11   | Cromwell's engagement with France . . .                                 | 46   |
| Balmerinoch's trial . . .                                                         | 12   | The king turned papist . . .                                            | 48   |
| He was condemned . . .                                                            | 14   | Cromwell's design on the West Indies . . .                              | 49   |
| But pardoned . . .                                                                | ib.  | His zeal for the protestant religion . . .                              | 50   |
| A liturgy prepared . . .                                                          | ib.  | <u>A great design for the interest of the protestant religion</u> . . . | 51   |
| The feebleness of the government . . .                                            | 15   | Some passages in Cromwell's life . . .                                  | ib.  |
| Saville's forgery prevailed on the Scots . . .                                    | ib.  | His moderation in government . . .                                      | 52   |
| The characters of the chief of the covenanters . . .                              | ib.  | His public spirit . . .                                                 | ib.  |
| The Scots came into England . . .                                                 | 16   | All the world was afraid of him . . .                                   | 53   |
| Great discontents in England . . .                                                | ib.  | The ruin of his family . . .                                            | 54   |
| The ill state of the king's affairs . . .                                         | 17   | Great disorders followed . . .                                          | ib.  |
| An account of the Earl of Strafford's being given up by the king . . .            | 19   | All turn to the king's side . . .                                       | 56   |
| The new model of the presbytery in Scotland . . .                                 | 20   | <u>Care taken to manage the army</u> . . .                              | 57   |
| The chief ministers of the party . . .                                            | ib.  | <u>A new parliament</u> . . .                                           | 58   |
| Their studies and other methods . . .                                             | 21   | <u>They call home the king without a treaty</u> . . .                   | 59   |
| Their great severity . . .                                                        | ib.  |                                                                         |      |
| Conditions offered to the Scots . . .                                             | 22   |                                                                         |      |
| Montrose's undertakings . . .                                                     | ib.  |                                                                         |      |
| Good advices given to the king . . .                                              | 23   |                                                                         |      |
| But not followed . . .                                                            | ib.  |                                                                         |      |
| Antrim's correspondence with the king and queen . . .                             | 24   |                                                                         |      |
| The original of the Irish massacre . . .                                          | 25   |                                                                         |      |
| Cromwell argues with the Scots concerning the king's death . . .                  | ib.  |                                                                         |      |

## BOOK II.

1660.

|                                                               |     |
|---------------------------------------------------------------|-----|
| <u>Many went over to the Hague</u> . . .                      | 60  |
| <u>The nation was overrun with vice and drunkenness</u> . . . | ib. |
| <u>The king's character</u> . . .                             | 61  |
| <u>Clarendon's character</u> . . .                            | 62  |



|                                                                                      | PAGE |                                                                         | PAGE |
|--------------------------------------------------------------------------------------|------|-------------------------------------------------------------------------|------|
| Ormond's character . . . . .                                                         | 63   | Vane's character . . . . .                                              | 107  |
| Southampton's character . . . . .                                                    | ib.  | And execution . . . . .                                                 | 108  |
| Shaftesbury's character . . . . .                                                    | 64   | The king gave himself up to his pleasures . . . . .                     | ib.  |
| Anglesey's character . . . . .                                                       | 65   | The act of indemnity maintained . . . . .                               | 112  |
| Hollis's character . . . . .                                                         | ib.  |                                                                         |      |
| Manchester's character . . . . .                                                     | 66   | 1662.                                                                   |      |
| Roberts's character . . . . .                                                        | ib.  | The king's marriage . . . . .                                           | ib.  |
| Clarges's character . . . . .                                                        | 67   | An alliance proposed from France . . . . .                              | 113  |
| Morrice's character . . . . .                                                        | ib.  | The Duke of York's marriage . . . . .                                   | ib.  |
| Nicolas's character . . . . .                                                        | 68   | The duke's character . . . . .                                          | 114  |
| Arlington's character . . . . .                                                      | ib.  | The duchess's character . . . . .                                       | 115  |
| Buckingham's character . . . . .                                                     | 69   | The Duke of Gloucester's character . . . . .                            | 116  |
| Bristol's character . . . . .                                                        | ib.  | The prospect of the royal family much changed . . . . .                 | ib.  |
| Lauderdale's character . . . . .                                                     | 70   | Schomberg went through England to Portugal . . . . .                    | 117  |
| Crawford's character . . . . .                                                       | ib.  | Dunkirk sold to the French . . . . .                                    | ib.  |
| Rothens's character . . . . .                                                        | 71   | Tangier a part of the queen's portion . . . . .                         | ib.  |
| Tweeddale's character . . . . .                                                      | ib.  | The manner of the king's marriage . . . . .                             | 11   |
| Duke Hamilton's character . . . . .                                                  | ib.  | The king lived in an avowed course of lewdness . . . . .                | 118  |
| Kincardine's character . . . . .                                                     | ib.  |                                                                         |      |
| The general character of the old cavaliers . . . . .                                 | 72   | 1660.                                                                   |      |
| Primrose's character . . . . .                                                       | ib.  | The settlement of Ireland . . . . .                                     | ib.  |
| Fletcher's character . . . . .                                                       | ib.  | The bishops who had then the greatest credit . . . . .                  | 120  |
| Advices offered in Scottish affairs . . . . .                                        | ib.  | Debates concerning the uniting with the presbyterians . . . . .         | 121  |
| For a general indemnity . . . . .                                                    | 73   | A treaty in the Savoy . . . . .                                         | 122  |
| Argyle sent to the Tower . . . . .                                                   | ib.  |                                                                         |      |
| The citadels of Scotland demolished . . . . .                                        | ib.  | 1661.                                                                   |      |
| Disputes concerning episcopacy . . . . .                                             | 74   | The terms of conformity made harder . . . . .                           | 124  |
| A ministry settled in Scotland . . . . .                                             | 75   | The act of uniformity . . . . .                                         | 125  |
| A council proposed to sit at court for Scottish affairs . . . . .                    | 76   | The great fines then raised on the church estates ill applied . . . . . | 126  |
| The committee of estates meet in Scotland . . . . .                                  | 77   | Divines called Latitudinarians . . . . .                                | 127  |
| A parliament in Scotland . . . . .                                                   | ib.  | Hobbes's Leviathan . . . . .                                            | 128  |
|                                                                                      |      | A character of some divines . . . . .                                   | 129  |
| 1661.                                                                                |      | The way of preaching which then prevailed . . . . .                     | 131  |
| The Lords of the articles . . . . .                                                  | 78   |                                                                         |      |
| The acts passed in this session . . . . .                                            | ib.  | 1662.                                                                   |      |
| An act rescinding all parliaments held since the year 1633 . . . . .                 | 79   | The act of uniformity executed with rigour . . . . .                    | ib.  |
| It was not liked by the king . . . . .                                               | 80   | The royal society . . . . .                                             | ib.  |
| The presbyterians in great disorder . . . . .                                        | 81   | Consultations among the papists . . . . .                               | 133  |
| Argyle's attainder . . . . .                                                         | 82   | A declaration for toleration . . . . .                                  | ib.  |
| And execution . . . . .                                                              | 84   | Designed for the papists . . . . .                                      | ib.  |
| The execution of Guthry, a minister . . . . .                                        | ib.  |                                                                         |      |
| Some others were proceeded against . . . . .                                         | 85   | 1663.                                                                   |      |
| Middleton gave an account of all that had passed in parliament to the king . . . . . | 86   | Bristol's designs . . . . .                                             | 134  |
| It was resolved to set up episcopacy in Scotland . . . . .                           | 87   | He accused Clarendon in the House of Lords . . . . .                    | 135  |
| Men sought to be bishops . . . . .                                                   | 88   | A plot discovered . . . . .                                             | 136  |
| Bishop Leighton's character . . . . .                                                | 89   | The design of a war with the States . . . . .                           | ib.  |
| The Scottish bishops consecrated . . . . .                                           | 92   | The affairs of Scotland . . . . .                                       | 137  |
|                                                                                      |      | Middleton was accused by Lauderdale . . . . .                           | ib.  |
| 1662.                                                                                |      | And turned out of all . . . . .                                         | 139  |
| The meetings of the presbyterians . . . . .                                          | 93   | Warriston's execution . . . . .                                         | ib.  |
| The new bishops came down to Scotland . . . . .                                      | 94   | An act against conventicles . . . . .                                   | ib.  |
| They were brought into parliament . . . . .                                          | ib.  | The constitution of a national synod . . . . .                          | 140  |
| Scruples about the oath of supremacy . . . . .                                       | 95   | An act offering an army to the king . . . . .                           | ib.  |
| Debates about an act of indemnity . . . . .                                          | 96   |                                                                         |      |
| It was desired that some might be incapacitated . . . . .                            | 97   | 1664.                                                                   |      |
| Lorn condemned . . . . .                                                             | 98   | Sharp drove very violently . . . . .                                    | 141  |
| Some incapacitated by ballot . . . . .                                               | 99   | Lauderdale gave way to it . . . . .                                     | ib.  |
| The king was displeased with this . . . . .                                          | ib.  | Burnet archbishop of Glasgow . . . . .                                  | ib.  |
| Great pains taken to excuse Middleton . . . . .                                      | 100  | A view of the state of affairs in Holland and France . . . . .          | ib.  |
| The presbyterian ministers silenced . . . . .                                        | ib.  | Sharp aspired to be chancellor of Scotland . . . . .                    | 142  |
| A general character of them . . . . .                                                | 102  | Rothens had the whole power of Scotland put in his hands . . . . .      | 143  |
| Prejudices infused against episcopacy . . . . .                                      | 103  |                                                                         |      |
|                                                                                      |      | 1665.                                                                   |      |
| 1660.                                                                                |      | Illegal and severe proceedings in Scotland . . . . .                    | ib.  |
| The affairs of England . . . . .                                                     | 104  | Turner executed the laws in a military way . . . . .                    | 144  |
| Clarendon's just and moderate notions . . . . .                                      | ib.  | Sharp studies to bring Middleton into business again . . . . .          | 145  |
| Venner's fury . . . . .                                                              | ib.  | More forces raised in Scotland . . . . .                                | ib.  |
| The trial and execution of the regicides . . . . .                                   | 105  |                                                                         |      |



# CONTENTS

ix

|                                                                 | PAGE |                                                                      | PAGE |
|-----------------------------------------------------------------|------|----------------------------------------------------------------------|------|
| 1666.                                                           |      | A treaty for an accommodation with the presbyterians in Scotland     | 185  |
| Some eminent clergymen offended at these proceedings            | 146  | An indulgence proposed                                               | 187  |
| Some of the grievances of the clergy laid before the bishops    | 147  | An attempt to murder Sharp                                           | 188  |
|                                                                 |      | Sharp proposed the indulging some ministers that did not conform     | 135  |
| 1664.                                                           |      | Propositions for the union of the two kingdoms                       | 189  |
| Affairs in England                                              | ib.  | The king gave orders for the indulgence                              | 190  |
| The Dutch war                                                   | ib.  | This complained of as against law                                    | 191  |
|                                                                 |      | A parliament in Scotland                                             | 191  |
| 1665.                                                           |      | The supremacy carried very high                                      | 192  |
| The plague broke out at the same time                           | 148  | An act for the county-militia                                        | 192  |
| The victory at sea not followed                                 | ib.  | Burnet turned out, and Leighton made Archbishop of Glasgow           | 193  |
| An account of the affairs in Holland                            | 149  | The state I found things in at Glasgow                               | ib.  |
| The parliament at Oxford                                        | 151  | A committee of council sent round the west                           | ib.  |
| The designs of the commonwealth party                           | 153  |                                                                      |      |
| The Duke of York's jealousy                                     | ib.  | 1670.                                                                |      |
| His amours                                                      | ib.  | Instructions for an accommodation                                    | 194  |
|                                                                 |      | Leighton's advice to his clergy                                      | ib.  |
| 1666.                                                           |      | A conference between Leighton and some presbyterians                 | 195  |
| The fleet almost quite lost, and happily saved by Prince Rupert | 154  | New severities against conventicles                                  | 196  |
| The fire of London                                              | 155  | The presbyterians resolved to reject the offers made them            | 197  |
| It was charged on the papists                                   | ib.  | Some conferences upon that subject                                   | 198  |
| A strong presumption of it                                      | ib.  | At last they refused to accept of the concessions                    | ib.  |
| Disorders in Scotland                                           | 157  | Censures passed upon this whole matter                               | 199  |
| A rebellion in the west                                         | 158  |                                                                      |      |
| The defeat given the rebels at Pentland Hill                    | 159  | 1671.                                                                |      |
| Severe proceedings against the prisoners                        | ib.  | The memoirs of the Dukes of Hamilton were written by me at that time | ib.  |
|                                                                 |      | A further indulgence proposed                                        | 200  |
| 1667.                                                           |      | Foreign affairs                                                      | 201  |
| The king is more gentle than the bishops                        | 160  | An alliance with France set on foot                                  | ib.  |
| A change of counsel, and more moderation in the government      | 161  | The Duchess of Orleans came to Dover                                 | ib.  |
| The Dutch fleet came into the Frith                             | 163  | Soon after was poisoned                                              | ib.  |
| And went to Chatham, and burnt our fleet                        | ib.  | Some of her intrigues                                                | 202  |
| A great change in Lauderdale's temper                           | 164  | The treaty with France negotiated                                    | 203  |
| Scotland was very well governed                                 | 165  | Lockhart sent to France                                              | ib.  |
| Great complaints made of the clergy                             | 166  | Pretended reasons for the Dutch war                                  | 204  |
| Affairs in England                                              | 167  |                                                                      |      |
| Clarendon's disgrace                                            | ib.  | 1672.                                                                |      |
| Southampton's death                                             | ib.  | The shutting up of the exchequer                                     | ib.  |
| The Irish sought the protection of France                       | 168  | The attempt on the Dutch Smyrna fleet                                | 205  |
| The Duke of Richmond's marriage                                 | ib.  | A declaration for toleration                                         | ib.  |
| Bridgman made lord keeper                                       | 170  | The presbyterians gave the king thanks for the toleration            | 206  |
| The French king's pretensions to Flanders                       | 171  | The Duchess of York died                                             | 207  |
| Clarendon's integrity                                           | ib.  | The first crisis of the protestant religion                          | 208  |
| He was impeached in the House of Commons                        | 172  | The second crisis                                                    | ib.  |
| The king desired he would go beyond sea                         | ib.  | The third crisis                                                     | ib.  |
| He was banished by act of parliament                            | 173  | The Spanish fleet came not as at first intended                      | 209  |
| The character of his two sons                                   | ib.  | The fourth crisis                                                    | 210  |
| The king was much offended with the bishops                     | 175  | Differences between Maurice, Prince of Orange, and Barneveldt        | 211  |
|                                                                 |      | Prince Henry Frederic's wise government                              | 212  |
| 1668.                                                           |      | His son's heat                                                       | ib.  |
| A treaty for a comprehension of the presbyterians               | ib.  | The errors of De Wit's government                                    | 213  |
| The city of London rebuilt                                      | 176  | The Prince of Orange made general                                    | 214  |
| Designs for putting away the queen                              | ib.  | The fifth crisis                                                     | ib.  |
| A divorce enacted for adultery                                  | 177  | The French success                                                   | ib.  |
| A great dissolution of morals in court                          | 178  | But followed by an ill management                                    | 215  |
| Many libels written by the best wits of that time               | 179  | The Dutch in great extremities                                       | 216  |
| Sir William Coventry's character                                | 180  | Ambassadors sent to England                                          | ib.  |
| The government of Ireland changed                               | 181  | The tragical end of De Wit                                           | 217  |
| The committee of Brook House                                    | ib.  | The Prince of Orange made stadtholder                                | ib.  |
| Halifax's character                                             | ib.  | The English ambassadors were wholly in the interest of France        | 218  |
|                                                                 |      | The character of Pagel                                               | ib.  |
| 1669                                                            |      | Prince Waldeck                                                       | 219  |
| Many parliament men gained by the court                         | 182  | Dyckvelt                                                             | ib.  |
| Coventry's nose was cut                                         | ib.  |                                                                      |      |
| A new prosecution of conventicles                               | 183  |                                                                      |      |
| The king went commonly to the House of Lords                    | 184  |                                                                      |      |
| The Prince of Orange came to the king                           | 185  |                                                                      |      |
| The affairs of Scotland                                         | ib.  |                                                                      |      |



|                                                                | PAGE |                                                                        | PAGE |
|----------------------------------------------------------------|------|------------------------------------------------------------------------|------|
| The character of Halwyn                                        | 219  | I was disgraced                                                        | 247  |
| The prince studied to correct the errors he fell into at first | ib.  | The ministers turn to the church                                       | 248  |
| Van Heuning's character                                        | 220  | Correspondence with Holland discovered                                 | 249  |
| Errors committed by the town of Amsterdam                      | ib.  | Jealousies of the Prince of Orange                                     | ib.  |
| The prince animates the States to continue the war             | ib.  | Drummond was ordered to prison                                         | ib.  |
| The French king goes back to Paris                             | 221  | The battle of Senef                                                    | 250  |
| The Dutch saved by some extraordinary providence               | 222  | Arlington went to Holland                                              | 251  |
| Osory intended to surprise Helvoetsluys                        | ib.  | Temple sent ambassador to Holland                                      | ib.  |
| An army from Utrecht came on the ice to Holland                | 223  |                                                                        |      |
| Driven back by a sudden thaw                                   | ib.  | 1675.                                                                  |      |
| Painevine's sentence                                           | ib.  | Affairs in England                                                     | 252  |
| A French mistress made Duchess of Portsmouth                   | 224  | I was examined by the House of Commons                                 | ib.  |
| The affairs of Scotland                                        | ib.  | Sir Harbottle Grimstone's character                                    | 253  |
| Lauderdale's great insolence                                   | 225  | Danby attacked, but in vain                                            | 254  |
| He expected addresses for a toleration                         | ib.  | Seymour's character                                                    | ib.  |
| Designs from Holland to raise a rebellion in Scotland          | ib.  | Debates concerning a test                                              | 255  |
| A further indulgence                                           | 226  | A dispute about appeals and privileges                                 | 256  |
| Lighton resolved to retire, and to leave his son               | ib.  | The session broke upon it                                              | 257  |
|                                                                |      | A session of parliament                                                | ib.  |
|                                                                |      | The characters of some parliament men                                  | 258  |
|                                                                |      |                                                                        |      |
|                                                                |      | 1676.                                                                  |      |
|                                                                |      | A long interval between the sessions of parliament                     | 260  |
|                                                                |      | An account of some passages of Lockhart's courage in France            | ib.  |
|                                                                |      | Management in France                                                   | 261  |
|                                                                |      | The character of some bishops                                          | ib.  |
|                                                                |      | The projects of the papists                                            | 262  |
|                                                                |      | Coleman's intrigues                                                    | 263  |
|                                                                |      | A conference between Coleman and some divines                          | 264  |
|                                                                |      | I undertook to write the History of our Reformation                    | ib.  |
|                                                                |      | The earl of Essex's character                                          | ib.  |
|                                                                |      | His employment in Denmark                                              | ib.  |
|                                                                |      | And his government of Ireland                                          | 265  |
|                                                                |      | The affairs of Scotland                                                | 266  |
|                                                                |      |                                                                        |      |
|                                                                |      | 1677.                                                                  |      |
|                                                                |      | A question raised in England about the legality of a prorogation       | 267  |
|                                                                |      | The Lords that moved it sent to the Tower                              | 268  |
|                                                                |      | Proceedings in parliament                                              | 269  |
|                                                                |      | Affairs in Flanders                                                    | ib.  |
|                                                                |      | The French King declined a battle when offered by the Prince of Orange | ib.  |
|                                                                |      | Cambray and St. Omer taken                                             | 270  |
|                                                                |      | The House of Commons pressed the king to engage in the war             | ib.  |
|                                                                |      | Danby declared against France                                          | 271  |
|                                                                |      | The Prince of Orange came into England                                 | 272  |
|                                                                |      | He married the Duke's daughter                                         | 273  |
|                                                                |      |                                                                        |      |
|                                                                |      | 1678.                                                                  |      |
|                                                                |      | Supplies given towards the war                                         | 274  |
|                                                                |      | The French take Ghent                                                  | ib.  |
|                                                                |      | The affairs of Scotland                                                | ib.  |
|                                                                |      | Mitchell's trial                                                       | ib.  |
|                                                                |      | And condemnation                                                       | 276  |
|                                                                |      | The administration there grew very violent and illegal                 | 277  |
|                                                                |      | An army of Highlanders sent to the west upon free quarter              | ib.  |
|                                                                |      | Many of the nobility came up to complain to the king                   | 278  |
|                                                                |      | But the king would not see them                                        | ib.  |
|                                                                |      | A convention of estates gives money, and justifies the administration  | 279  |
|                                                                |      | Affairs in England                                                     | ib.  |
|                                                                |      | The House of Commons grew jealous of the Court                         | ib.  |
|                                                                |      | Affairs abroad                                                         | 280  |
|                                                                |      | The popish plot                                                        | 281  |
|                                                                |      | Oates's character                                                      | 282  |
|                                                                |      | His discovery                                                          | ib.  |

## BOOK III.

## 1673.

|                                                       |     |
|-------------------------------------------------------|-----|
| Great jealousies of the king                          | 228 |
| Schomberg brought to command the army                 | ib. |
| The court was much divided                            | 229 |
| A session of parliament                               | ib. |
| The declaration was voted illegal                     | ib. |
| A bill for a new test                                 | ib. |
| The prudence of the dissenters                        | 230 |
| Debates in the House of Lords                         | ib. |
| The variety of opinions in the king's council         | 231 |
| The French advise the king to yield to the parliament | ib. |
| The king went into that suddenly                      | ib. |
| Clifford disgraced                                    | ib. |
| Osborn made lord treasurer                            | 232 |
| A great supply was given                              | ib. |
| The duke laid down all his commissions                | 233 |
| The duke treats for a second marriage                 | ib. |
| A treaty opened at Cologne                            | 234 |
| Lord Sunderland's character                           | ib. |
| The treaty broke off                                  | 235 |
| The affairs of Scotland                               | ib. |
| Lauderdale's design                                   | 236 |
| The king liked my Memoirs                             | ib. |
| And showed me great favour                            | ib. |
| My conversation with the duke                         | ib. |
| I carried Dr. Stillingfleet to him                    | 237 |
| The duke's marriage opposed by the Commons            | 239 |
| A parliament in Scotland                              | 240 |
| A party formed against Lauderdale                     | ib. |
| He offers to redress grievances in council            | 241 |

## 1674.

|                                                  |     |
|--------------------------------------------------|-----|
| A dispute raised about the lords of the articles | ib. |
| The proceedings in the parliament of England     | ib. |
| Finch's character                                | 242 |
| A peace concluded with the States                | 243 |
| The king became the mediator of the peace        | 244 |
| The duchess's character                          | ib. |
| Coleman's character                              | 245 |
| The affairs of Scotland                          | ib. |
| The parliament was prorogued                     | ib. |
| Dalrymple's character                            | ib. |
| The clergy was much provoked                     | ib. |
| A great distraction in Scotland                  | 246 |
| Lauderdale's proceedings there                   | ib. |



# CONTENTS.

xi

|                                                           | PAGE |                                                           | PAGE     |
|-----------------------------------------------------------|------|-----------------------------------------------------------|----------|
| Coleman and his papers seized . . . . .                   | 283  | Duchess of Portsmouth's conduct in this matter            |          |
| Coleman's letters confirm it . . . . .                    | ib.  | little understood . . . . .                               | 322      |
| Godfrey is murdered . . . . .                             | 284  | Stafford's trial . . . . .                                | 321      |
| His body was found . . . . .                              | 285  | He was condemned . . . . .                                | 325      |
| Oates made a new discovery . . . . .                      | ib.  | He sent for me, and employed me to do him service         | ib.      |
| Bedlow's evidence . . . . .                               | 286  | His execution . . . . .                                   | 326      |
| Other proofs that seemed to support the discovery         | 287  |                                                           |          |
| Carstairs's practices . . . . .                           | ib.  | 1681.                                                     |          |
| Staley's trial . . . . .                                  | ib.  | Motions in favour of the nonconformists . . . . .         | ib.      |
| The queen was charged as in the plot . . . . .            | 288  | The parliament was dissolved . . . . .                    | 327      |
| A law passed for the test to be taken by both Houses      | 289  | A new expedient of a prince regent . . . . .              | ib.      |
| With a proviso for the duke . . . . .                     | ib.  | Fitzharris was taken . . . . .                            | ib.      |
| Coleman's trial . . . . .                                 | ib.  | The parliament of Oxford was soon dissolved . . . . .     | 328      |
| And execution . . . . .                                   | 290  | A great change in affairs . . . . .                       | 329      |
| The king's thoughts of this whole matter . . . . .        | ib.  | The king's declaration . . . . .                          | ib.      |
| Danby's letters to Montague are brought out . . . . .     | 291  | Addresses to the king from all parts of England . . . . . | ib.      |
| And he was impeached of high treason . . . . .            | 292  | Fitzharris's trial . . . . .                              | 330      |
| The parliament was prorogued . . . . .                    | ib.  | Plunket, an Irish bishop, condemned and executed          | ib.      |
| The trial of F. Ireland and some others . . . . .         | 294  | Practices on Fitzharris at his death . . . . .            | 331, 332 |
| Dugdale's evidence . . . . .                              | ib.  | A protestant plot . . . . .                               | ib.      |
| Prince discovers Godfrey's murder . . . . .               | 295  | Colledge condemned and died upon it . . . . .             | ib.      |
| Some condemned for it, who died denying it . . . . .      | 296  | Shaftesbury sent to the Tower . . . . .                   | 333      |
| Scroggs was then lord chief justice . . . . .             | 297  | Practices upon witnesses . . . . .                        | ib.      |
| Jennison's evidence . . . . .                             | ib.  | I was then offered preferment . . . . .                   | ib.      |
| Practices with the witnesses discovered . . . . .         | 298  | Halifax carried me to the king . . . . .                  | 335      |
| Reflections upon the whole evidence . . . . .             | 299  | Shaftesbury was acquitted by the grand jury . . . . .     | ib.      |
|                                                           |      | 1682.                                                     |          |
| 1679.                                                     |      | Turbervill's death . . . . .                              | 337      |
| A new parliament . . . . .                                | 300  | The affairs of Scotland . . . . .                         | ib.      |
| The duke sent beyond sea . . . . .                        | ib.  | A parliament in Scotland . . . . .                        | 338      |
| Danby pardoned by the king, but prosecuted by             |      | Several accusations of perjury stifled by the duke        | 339      |
| the House of Commons . . . . .                            | 301  | A test enacted in parliament . . . . .                    | 340      |
| A new council . . . . .                                   | 302  | Objections made to the test . . . . .                     | 341      |
| Debates concerning the exclusion . . . . .                | 303  | Many turned out for not taking it . . . . .               | ib.      |
| Arguments used for and against the exclusion . . . . .    | 304  | Argyle's explanation . . . . .                            | 342      |
| Danby's prosecution . . . . .                             | 306  | He was committed upon it . . . . .                        | ib.      |
| A great heat raised against the clergy . . . . .          | ib.  | Argyle is tried and condemned . . . . .                   | 343      |
| The occasions that fomented that heat . . . . .           | 307  | He made his escape . . . . .                              | ib.      |
| Arguments for and against the bishops voting in           |      | The duke comes to court . . . . .                         | 344      |
| the preliminaries, in trials of treason . . . . .         | ib.  | A new ministry in Scotland . . . . .                      | ib.      |
| Stillingfleet wrote on this point . . . . .               | 308  | They proceeded with great severity . . . . .              | 345      |
| The trial of five Jesuits . . . . .                       | ib.  | Affairs in England . . . . .                              | 346      |
| Langhorn's trial . . . . .                                | 309  | All charters of towns were surrendered to the king        | ib.      |
| And death . . . . .                                       | ib.  | The dispute concerning the sheriffs of London             | 347      |
| Wakeman's trial . . . . .                                 | 310  | Carried by the court . . . . .                            | 348      |
| He was acquitted . . . . .                                | 311  | Changes in the ministry, and quarrels among them          | ib.      |
| Debates about dissolving the parliament . . . . .         | ib.  | The arguments for and against the charter of London       | 350      |
| The affairs of Scotland . . . . .                         | 312  | Judgment given in the matter . . . . .                    | 351      |
| The Archbishop of St. Andrews is murdered . . . . .       | ib.  | Some other severe judgments . . . . .                     | ib.      |
| A rebellion in Scotland . . . . .                         | 313  |                                                           |          |
| Monmouth sent down to suppress it . . . . .               | ib.  | 1683.                                                     |          |
| They were soon broken . . . . .                           | 314  | All people possessed with great fears . . . . .           | 352      |
| The king taken ill, and the duke comes to court . . . . . | ib.  | Monmouth and Russel at Shepherd's . . . . .               | ib.      |
| The many false stories spread to raise jealousy . . . . . | 315  | Monmouth and some others meet often together . . . . .    | ib.      |
| A pretended plot discovered, called the Meal-tub          |      | They treat with some of the Scottish nation . . . . .     | 353      |
| plot . . . . .                                            | ib.  | Other conspirators meet at the same time on designs       |          |
| Great jealousies of the king . . . . .                    | 316  | of assassinating the king . . . . .                       | 355      |
| Monmouth's disgrace . . . . .                             | ib.  | A plot is discovered . . . . .                            | 356      |
| Petitions for a parliament . . . . .                      | ib.  | A forged story laid by Rumsey and West . . . . .          | ib.      |
| Great discontents on all sides . . . . .                  | 317  | Russel and some others were put in prison upon it         | 357      |
| Godolphin's character . . . . .                           | ib.  | Monmouth and others escaped . . . . .                     | 358      |
|                                                           |      | Howard's confession . . . . .                             | 359      |
| 1680.                                                     |      | The Earl of Essex was sent to the Tower . . . . .         | 360      |
| An alliance projected against France . . . . .            | ib.  | The Lord Russel's trial . . . . .                         | 361      |
| The election of the sheriffs of London . . . . .          | 318  | He was condemned . . . . .                                | 362      |
| The bill of Exclusion taken up again . . . . .            | 319  | His preparation for death . . . . .                       | 363      |
| Passed by the Commons . . . . .                           | ib.  | The trial and execution of Walcot and others . . . . .    | 364      |
| But rejected by the Lords . . . . .                       | 320  | Russel's execution . . . . .                              | ib.      |
| The House of Commons proceeded against some               |      | Russel's last speech . . . . .                            | 365      |
| with severity . . . . .                                   | ib.  | Prince George of Denmark married the Princess             |          |
| An association proposed . . . . .                         | 321  | Anne . . . . .                                            | 366      |
| Expedients offered in the House of Lords . . . . .        | ib.  |                                                           |          |



|                                                                       | PAGE |                                                                                    | PAGE |
|-----------------------------------------------------------------------|------|------------------------------------------------------------------------------------|------|
| The siege of Vienna . . . . .                                         | 366  | The duke of Monmouth forced upon an ill-timed invasion . . . . .                   | 404  |
| The Author went to the court of France . . . . .                      | 367  | These designs were carried on with secrecy . . . . .                               | 405  |
| Characters of some he knew there . . . . .                            | ib.  | Argyle landed in Scotland . . . . .                                                | ib.  |
| Affairs in England . . . . .                                          | 369  | But was defeated, and taken . . . . .                                              | 406  |
| Jefferies and other judges preferred . . . . .                        | ib.  | Argyle's execution . . . . .                                                       | ib.  |
| 1694.                                                                 |      | Rumbold at his death denied the Rye plot . . . . .                                 | ib.  |
| The calling a parliament proposed, but rejected . . . . .             | 370  | A parliament in Scotland . . . . .                                                 | 407  |
| Suspicious of Essex's being murdered . . . . .                        | ib.  | Granted all that the king desired . . . . .                                        | ib.  |
| Sidney's trial . . . . .                                              | 371  | Severe laws were passed . . . . .                                                  | 408  |
| His execution and last paper . . . . .                                | 372  | Oates convicted of perjury . . . . .                                               | ib.  |
| Monmouth came in, and was pardoned . . . . .                          | 373  | And cruelly whipped . . . . .                                                      | ib.  |
| But soon after disgraced . . . . .                                    | 374  | Dangerfield killed . . . . .                                                       | ib.  |
| Hampden's trial . . . . .                                             | ib.  | A parliament in England . . . . .                                                  | 409  |
| Halloway's execution . . . . .                                        | ib.  | Grants the revenue for life . . . . .                                              | ib.  |
| Armstrong's death . . . . .                                           | 375  | And trusts to the king's promise . . . . .                                         | ib.  |
| Great severity in Scotland . . . . .                                  | 376  | The parliament was violent . . . . .                                               | ib.  |
| A breach in the ministry there . . . . .                              | 377  | The lords were more cautious . . . . .                                             | 410  |
| The duke governed all affairs . . . . .                               | 378  | The Duke of Monmouth landed at Lyme . . . . .                                      | ib.  |
| The cruelty of the duke, and of his ministers, in torturing . . . . . | ib.  | An act of attainder passed against him . . . . .                                   | ib.  |
| Proceedings against Baillie . . . . .                                 | 379  | A rabble came and joined him . . . . .                                             | 411  |
| And his execution . . . . .                                           | 380  | Lord Grey's cowardice . . . . .                                                    | ib.  |
| Leighton's death . . . . .                                            | 381  | The Earl of Faversham commanded the king's army . . . . .                          | 412  |
| The promotion of some bishops . . . . .                               | 382  | The Duke of Monmouth defeated . . . . .                                            | ib.  |
| Danby and the popish lords bailed . . . . .                           | 383  | And taken . . . . .                                                                | ib.  |
| Some removes made at court . . . . .                                  | 384  | Soon after executed . . . . .                                                      | 413  |
| The bombarding of Genoa . . . . .                                     | ib.  | He died with great calmness . . . . .                                              | 414  |
| Tangier abandoned . . . . .                                           | 385  | Lord Grey pardoned . . . . .                                                       | ib.  |
| Affairs beyond sea . . . . .                                          | ib.  | The king was lifted up with his successes . . . . .                                | 415  |
| The hardships the author met with . . . . .                           | 386  | But it had an ill effect on his affairs . . . . .                                  | ib.  |
| Trials for treason of Roswell and Hayes . . . . .                     | 387  | Great cruelties committed by his soldiers . . . . .                                | ib.  |
| Strange practices, and very unbecoming a king . . . . .               | 388  | And much greater by Jefferies . . . . .                                            | ib.  |
| Papists employed in Ireland . . . . .                                 | 389  | With which the king was well pleased . . . . .                                     | 416  |
| Suspicious of the king's declaring himself a papist . . . . .         | 390  | The execution of two women . . . . .                                               | ib.  |
| 1685.                                                                 |      | The behaviour of those who suffered . . . . .                                      | 417  |
| A new scheme of government . . . . .                                  | ib.  | The nation was much changed by this management . . . . .                           | ib.  |
| The king's sickness . . . . .                                         | 391  | Great disputes for and against the tests . . . . .                                 | 418  |
| He received the sacrament from a popish priest . . . . .              | 392  | Some change their religion . . . . .                                               | ib.  |
| His death . . . . .                                                   | 393  | The Duke of Queensborough disgraced . . . . .                                      | ib.  |
| His character . . . . .                                               | 394  | The king declared against the tests . . . . .                                      | 419  |
| BOOK IV.                                                              |      | Proceedings in Ireland . . . . .                                                   | ib.  |
| A reign happily begun, but inglorious all over . . . . .              | 398  | The persecution in France . . . . .                                                | ib.  |
| The king's first education . . . . .                                  | ib.  | A fatal year to the protestant religion . . . . .                                  | 420  |
| He learned war under Turenne . . . . .                                | 399  | Rouvigny's behaviour . . . . .                                                     | ib.  |
| He was admiral of England . . . . .                                   | ib.  | He came over to England . . . . .                                                  | 421  |
| He was proclaimed king . . . . .                                      | ib.  | Dragoons sent to live on discretion upon the protestants . . . . .                 | ib.  |
| His first speech . . . . .                                            | ib.  | Many of them yielded through fear . . . . .                                        | ib.  |
| Well received . . . . .                                               | ib.  | Great cruelty everywhere . . . . .                                                 | ib.  |
| Addresses made to him . . . . .                                       | ib.  | I went into Italy . . . . .                                                        | 422  |
| The Earl of Rochester made lord treasurer . . . . .                   | 400  | And was well received at Rome . . . . .                                            | ib.  |
| The Earl of Sunderland in favour . . . . .                            | ib.  | Cardinal Howard's freedom with me . . . . .                                        | 423  |
| Customs and excise levied against law . . . . .                       | ib.  | Cruelties in Orange . . . . .                                                      | 424  |
| The king's coldness to those who had been for the exclusion . . . . . | 401  | Another session of parliament . . . . .                                            | ib.  |
| He seemed to be on equal terms with the French king . . . . .         | ib.  | The king's speech against the test . . . . .                                       | ib.  |
| The king's course of life . . . . .                                   | ib.  | Jefferies made lord chancellor . . . . .                                           | 425  |
| The Prince of Orange sent away the Duke of Monmouth . . . . .         | ib.  | The House of Commons address the king for observing the law . . . . .              | ib.  |
| Some in England began to move for him . . . . .                       | 402  | The king was much offended with it . . . . .                                       | ib.  |
| Strange practices in elections of parliament men . . . . .            | ib.  | The parliament was prorogued . . . . .                                             | 426  |
| Evil prospect from an ill parliament . . . . .                        | ib.  | The Lord Delamere tried and acquitted . . . . .                                    | ib.  |
| The Prince of Orange submits in everything to the king . . . . .      | 403  | 1686.                                                                              |      |
| The king was crowned . . . . .                                        | ib.  | A trial upon the act for the test . . . . .                                        | 427  |
| I went out of England . . . . .                                       | 404  | Many judges turned out . . . . .                                                   | ib.  |
| Argyle designed to invade Scotland . . . . .                          | ib.  | Herbert, chief justice, gives judgment for the king's dispensing power . . . . .   | ib.  |
|                                                                       |      | Admiral Herbert's firmness . . . . .                                               | 428  |
|                                                                       |      | Father Petre, a Jesuit, in high favour . . . . .                                   | 429  |
|                                                                       |      | The king declared for a toleration . . . . .                                       | ib.  |
|                                                                       |      | The clergy managed the points of controversy with great zeal and success . . . . . | ib.  |



|                                                                                               | PAGE |                                                                        | PAGE |
|-----------------------------------------------------------------------------------------------|------|------------------------------------------------------------------------|------|
| The persons who were chiefly engaged in this                                                  | 430  | Albeville's memorial to the States                                     | 461  |
| Dr. Sharp in trouble                                                                          | ib.  | The States' answer to what related to me                               | 462  |
| The Bishop of London required to suspend him                                                  | ib.  | Other designs against me                                               | ib.  |
| Which he could not obey                                                                       | ib.  | Pensioner Pagel's letter                                               | 463  |
| An ecclesiastical commission set up                                                           | ib.  | Father Petre made a privy councillor                                   | 464  |
| The Bishop of London brought before it                                                        | 431  | The confidence of the Jesuits                                          | ib.  |
| And was suspended by it                                                                       | 432  | The pensioner's letter was printed                                     | 465  |
| Affairs in Scotland                                                                           | ib.  | The king asked the regiments of his subjects in the<br>States' service | ib.  |
| A tumult at Edinburgh                                                                         | ib.  | Which was refused, but the officers had leave to go                    | ib.  |
| A parliament held there                                                                       | 433  | A new declaration for toleration                                       | 466  |
| Which refused to comply with the king's desire                                                | ib.  | Which the clergy were ordered to read                                  | ib.  |
| A zeal appeared there against popery                                                          | 434  | To which they would not give obedience                                 | 467  |
| Affairs in Ireland                                                                            | ib.  | The archbishop and six bishops petition the king                       | ib.  |
| The king made his mistress countess of Dorchester                                             | ib.  | The king ordered the bishops to be prosecuted for it                   | 468  |
| Attempts made on many to change their religion                                                | 435  | They were sent to the Tower                                            | 469  |
| Particularly on the Earl of Rochester                                                         | ib.  | But soon after discharged                                              | ib.  |
| He was turned out                                                                             | 436  | They were tried                                                        | ib.  |
| Designs talked of against Holland                                                             | ib.  | And acquitted                                                          | 470  |
| I stayed some time at Geneva                                                                  | 437  | To the great joy of the town and nation                                | ib.  |
| The state and temper I observed among the re-<br>formed                                       | ib.  | The clergy were next designed against                                  | 473  |
| I was invited by the Prince of Orange to come to<br>the Hague                                 | 438  | The effect this had everywhere                                         | ib.  |
| A character of the Prince and Princess of Orange                                              | ib.  | Russel pressed the prince                                              | 474  |
| I was much trusted by them                                                                    | 439  | The prince's answer                                                    | ib.  |
| The prince's sense of our affairs                                                             | ib.  | The Elector of Brandenburg's death                                     | ib.  |
| The princess's resolution with respect to the prince                                          | 440  | The queen gave out that she was with child                             | 475  |
| Penn sent over to treat with the prince                                                       | 441  | The queen's reckoning changed                                          | 477  |
| Some bishops died in England                                                                  | 442  | The queen said to be in labour                                         | ib.  |
| Cartwright and Parker promoted                                                                | ib.  | And delivered of a son                                                 | 478  |
| The king's letter refused in Cambridge                                                        | 444  | Great grounds of jealousy appeared                                     | ib.  |
| The vice chancellor turned out by the ecclesiastical<br>commissioners                         | ib.  | The child, as was believed, died, and another was<br>put in his room   | ib.  |
| An attempt to impose a popish president on Mag-<br>dalen College                              | ib.  | The Prince and Princess of Orange sent to congra-<br>tulate            | 479  |
| They disobey, and are censured for it                                                         | 445  | The prince designs an expedition to England                            | ib.  |
|                                                                                               |      | Sunderland advised more moderate proceedings                           | 480  |
| 1687.                                                                                         |      | And he turned papist                                                   | ib.  |
| And were all turned out                                                                       | ib.  | The Prince of Orange treats with some of the<br>princes of the empire  | 481  |
| The dissenters were much courted by the king                                                  | 446  | The affairs of Colen                                                   | ib.  |
| Debates and resolutions among them                                                            | 447  | Herbert came over to Holland                                           | 483  |
| The army encamped at Hounslow Heath                                                           | ib.  | The advices from England                                               | 484  |
| An ambassador sent to Rome                                                                    | ib.  | The Lord Mordaunt's character                                          | ib.  |
| He managed everything unhappily                                                               | 448  | The Earl of Shrewsbury's character                                     | ib.  |
| Pope Innocent's character                                                                     | ib.  | Russel's character                                                     | 485  |
| Disputes about the franchises                                                                 | 449  | Sydney's character                                                     | ib.  |
| Queen Christina's character of some popes                                                     | ib.  | Many engaged in the design                                             | ib.  |
| D'Albeville sent envoy to Holland                                                             | 450  | Lord Churchill's character                                             | 486  |
| I was, upon the king's pressing instances, forbid to<br>see the prince and princess of Orange | ib.  | The court of France gave the alarm                                     | 487  |
| Dykvelt sent to England                                                                       | ib.  | Recruits from Ireland refused                                          | ib.  |
| The negotiations between the king and the prince                                              | 451  | Offers made by the French                                              | ib.  |
| A letter written by the Jesuits of Liege, that dis-<br>covers the king's designs              | 452  | Not entertained at that time                                           | 488  |
| Dykvelt's conduct in England                                                                  | ib.  | The French own an alliance with the king                               | ib.  |
| A proclamation of indulgence sent to Scotland                                                 | ib.  | The strange conduct of France                                          | 489  |
| Which was much censured                                                                       | 453  | A manifesto of war against the empire                                  | ib.  |
| A declaration for toleration in England                                                       | ib.  | Reflections made upon it                                               | 490  |
| Addresses made upon it                                                                        | ib.  | Another against the pope                                               | ib.  |
| The king's indignation against the church party                                               | 454  | Censures that passed upon it                                           | 491  |
| The parliament was dissolved                                                                  | ib.  | Marshal Schomberg sent to Cleve                                        | ib.  |
| The reception of the pope's nuntio                                                            | 455  | The Dutch fleet at sea                                                 | 492  |
| The king made a progress through many parts of<br>England                                     | ib.  | The Prince of Orange's declaration                                     | ib.  |
| A change in the magistracy in London, and over<br>England                                     | ib.  | I was desired to go with the prince                                    | ib.  |
| Questions put about elections of parliament                                                   | 456  | Advices from England                                                   | 493  |
| The king wrote to the Princess of Orange about<br>religion                                    | 457  | Artifices to cover the design                                          | 494  |
| Which she answered                                                                            | 458  | The Dutch put to sea                                                   | ib.  |
| Reflections on these letters                                                                  | 459  | Some factious motions at the Hague                                     | ib.  |
| A prosecution set on against me                                                               | 460  | The army was shipped                                                   | 495  |
|                                                                                               |      | The princess's sense of things                                         | 496  |
|                                                                                               |      | The prince took leave of the States                                    | ib.  |
|                                                                                               |      | We sailed out of the Maas                                              | ib.  |
|                                                                                               |      | But were forced back                                                   | ib.  |
|                                                                                               |      | Consultations in England                                               | ib.  |



|                                                                           | PAGE |                                                                                       | PAGE |
|---------------------------------------------------------------------------|------|---------------------------------------------------------------------------------------|------|
| Proofs brought for the birth of the Prince of Wales                       | 497  | Affairs in Scotland                                                                   | 537  |
| We sailed out more happily a second time                                  | 499  | Debates in the convention there                                                       | ib.  |
| We landed at Torbay                                                       | ib.  | A rising designed in Scotland                                                         | ib.  |
| The king's army began to come over to the prince                          | 501  | King James was judged there                                                           | 538  |
| An association among those who came to the prince                         | 502  | They pass a claim of rights                                                           | ib.  |
| The heads of Oxford sent to him                                           | ib.  | Episcopacy by this to be abolished                                                    | ib.  |
| Great disorders in London                                                 | 503  | A ministry in Scotland                                                                | ib.  |
| A treaty begun with the prince                                            | ib.  | A faction raised in Scotland                                                          | 539  |
| The king left the kingdom                                                 | 504  | A rising in Scotland                                                                  | 540  |
| He is much censured                                                       | 505  | Foreign affairs                                                                       | 541  |
| But is brought back                                                       | ib.  | A jealousy of the kingspread among the English clergy                                 | ib.  |
| The prince is desired to come and take the govern-<br>ment into his hands | ib.  | A comprehension endeavoured                                                           | 542  |
| Different advice given to the prince concerning the<br>king's person      | 506  | A convocation met, but would not agree to it                                          | 543  |
| The prince came to London, and the king went to<br>Rochester              | 508  | A session of parliament                                                               | 544  |
| The prince was welcomed by all sorts of people                            | 509  | The king grew jealous of the Whigs                                                    | ib.  |
| Consultations about the settlement of the nation                          | ib.  | A conspiracy against the government                                                   | 545  |
| The king went over to France                                              | ib.  | Discovered to the Author                                                              | 546  |
| The affairs of Scotland                                                   | ib.  | A Bill concerning corporations                                                        | ib.  |
| The affairs of Ireland                                                    | 510  |                                                                                       |      |
| 1689.                                                                     |      | 1690.                                                                                 |      |
| The prince in treaty with the Earl of Tyrconnel                           | 511  | A new parliament                                                                      | 547  |
| The convention met                                                        | 512  | A Bill recognizing the king and queen, and the<br>Acts of the convention              | 548  |
| Some are for a prince regent                                              | 513  | The revenue given for years                                                           | 549  |
| Others are for another king                                               | 514  | Debates for and against an abjuration of King<br>James                                | 550  |
| And against a regency                                                     | ib.  | The Earl of Shrewsbury left the court                                                 | ib.  |
| Some moved to examine the birth of the Prince of<br>Wales                 | 516  | The king's sense of affairs                                                           | 551  |
| But it was rejected                                                       | 517  | The king's tenderness for King James's person                                         | ib.  |
| Some were for making the prince king                                      | ib.  | The king sailed to Ireland                                                            | 552  |
| The prince declared his mind after long silence                           | 518  | Advices given to King James                                                           | ib.  |
| It was resolved to put the prince and princess both<br>on the throne      | 519  | The queen in the administration                                                       | ib.  |
| They drew an instrument about it                                          | 521  | Affairs at sea                                                                        | 553  |
| The oaths were altered                                                    | 522  | A cannon-ball wounded the king                                                        | ib.  |
| The ill sense that was put on the new oath                                | ib.  | The battle of the Boyne                                                               | ib.  |
| The princess came to England                                              | 523  | The battle of Ficurua                                                                 | 554  |
| The conclusion                                                            | 524  | An engagement at sea                                                                  | 555  |
|                                                                           |      | The French masters of the sea                                                         | ib.  |
| BOOK V.                                                                   |      | The queen's behaviour on this occasion                                                | 556  |
| The hopes of the new reign                                                | 525  | The king came to Dublin                                                               | ib.  |
| The effect of the king's ill health                                       | ib.  | A design to assassinate the king                                                      | ib.  |
| A new ministry                                                            | ib.  | The siege of Limerick                                                                 | 558  |
| The Earl of Nottingham's advancement unaccept-<br>able to the Whigs       | 526  | The siege is raised                                                                   | ib.  |
| The judges well chosen                                                    | 527  | The equality of the king's temper                                                     | 559  |
| The convention turned to a parliament                                     | 528  | The Earl of Marlborough proposes taking Cork and<br>Kinsale in winter, and effects it | ib.  |
| Some bishops leave the parliament                                         | ib.  | The French left Ireland                                                               | ib.  |
| I was made Bishop of Salisbury                                            | 529  | Affairs in Scotland                                                                   | 560  |
| Debates concerning the oaths                                              | 530  | A parliament there                                                                    | ib.  |
| An Act of toleration                                                      | ib.  | A plot discovered                                                                     | ib.  |
| A motion for a comprehension                                              | ib.  | Affairs abroad                                                                        | 562  |
| An ill humour spread among the clergy                                     | 531  | A session of parliament in England                                                    | ib.  |
| Great gentleness towards papists                                          | ib.  | Ireland much wasted by the Rapparees and the<br>army there                            | ib.  |
| War proclaimed against France                                             | 532  | A Bill concerning the Irish forfeitures                                               | 563  |
| Debates concerning the revenue                                            | ib.  | The Earl of Torrington tried and justified                                            | ib.  |
| The chimney money discharged                                              | ib.  | Designs against the Marquis of Carmarthen                                             | 564  |
| A Bill concerning the militia                                             | ib.  | Lord Preston sent over to France                                                      | ib.  |
| Debates concerning an Act of indemnity                                    | 543  | Taken, tried, and condemned                                                           | 565  |
| The Bill of rights                                                        | ib.  | Ashton suffered                                                                       | ib.  |
| King James's Great Seal found in the Thames                               | 534  | Lord Preston was pardoned                                                             | ib.  |
| The state of affairs in Ireland                                           | ib.  | The behaviour of the deprived bishops                                                 | ib.  |
| King James came over thither                                              | 535  | A congress of princes at the Hague                                                    | 566  |
| The siege of Londonderry                                                  | ib.  | A new pope chosen after a long conclave                                               | ib.  |
| Was at last raised                                                        | 536  | The siege of Mons                                                                     | 567  |
| Duke Schomberg with an army went to Ireland                               | ib.  | Affairs settled for the next campaign                                                 | ib.  |
| Affairs at sea                                                            | 537  | Affairs in Scotland                                                                   | ib.  |
|                                                                           |      | Some changes made in Scotland                                                         | ib.  |
|                                                                           |      | The vacant sees filled                                                                | 568  |
|                                                                           |      | Many promotions in the church                                                         | ib.  |
|                                                                           |      | The campaign in Flanders                                                              | 579  |
|                                                                           |      | Affairs at sea                                                                        | ib.  |



# CONTENTS.

xv

|                                                                         | PAGE |                                                                        | PAGE |
|-------------------------------------------------------------------------|------|------------------------------------------------------------------------|------|
| The campaign in Ireland . . . . .                                       | 571  | The campaign in Catalonia . . . . .                                    | 601  |
| Athlone taken . . . . .                                                 | ib.  | Our fleet lay at Cadiz . . . . .                                       | 602  |
| The battle of Aghrom . . . . .                                          | ib.  | A design on Camaret . . . . .                                          | ib.  |
|                                                                         |      | It miscarried . . . . .                                                | ib.  |
| 1631.                                                                   |      | The French coast bombarded . . . . .                                   | 603  |
| Limerick besieged . . . . .                                             | ib.  | Affairs in Turkey . . . . .                                            | ib.  |
| The Irish capitulate . . . . .                                          | 572  | Attempts for a peace . . . . .                                         | 604  |
| The war there at an end . . . . .                                       | ib.  | A session of parliament in England . . . . .                           | ib.  |
| Affairs in Hungary . . . . .                                            | 573  | An act for triennial parliaments . . . . .                             | ib.  |
| The maxims of the court of Vienna . . . . .                             | ib.  | The queen's administration . . . . .                                   | ib.  |
| The state of the empire . . . . .                                       | ib.  | Archbishop Tillotson's death . . . . .                                 | 605  |
| A ninth Elector created . . . . .                                       | ib.  | Saneroff's death . . . . .                                             | ib.  |
| Affairs in Savoy . . . . .                                              | 574  | Tennison succeeded . . . . .                                           | 606  |
| The Elector of Bavaria commanded in Flanders . . . . .                  | ib.  | The queen's sickness . . . . .                                         | ib.  |
| A session of parliament in England . . . . .                            | ib.  | And death . . . . .                                                    | 607  |
| Jealousies of the king . . . . .                                        | ib.  |                                                                        |      |
| 1692.                                                                   |      | BOOK VI.                                                               |      |
| Affairs in Scotland . . . . .                                           | 576  | The proceedings in parliament . . . . .                                | 608  |
| The affair of Glencoe . . . . .                                         | 576  | The ill state of the coin . . . . .                                    | ib.  |
| The Earl of Marlborough disgraced . . . . .                             | 577  | A bill concerning trials for treason . . . . .                         | ib.  |
| A breach between the queen and the princess . . . . .                   | 578  | Trials in Lancashire . . . . .                                         | 609  |
| Russel commanded the fleet . . . . .                                    | ib.  | Complaints of the Bank . . . . .                                       | 610  |
| A descent in England designed by King James . . . . .                   | ib.  | Inquiries into corrupt practices . . . . .                             | ib.  |
| A great victory at sea near La Hogue . . . . .                          | 579  | And into presents made by the East-India Company . . . . .             | 611  |
| Not followed as it might have been . . . . .                            | 580  | Consultations about the coin . . . . .                                 | 612  |
| A design to assassinate the king . . . . .                              | ib.  | Consultations amongst the Jacobites . . . . .                          | ib.  |
| Grandval suffers for it, and confesses it . . . . .                     | 581  | A design to assassinate the king . . . . .                             | ib.  |
| Namur taken by the French . . . . .                                     | ib.  | A government in the king's absence . . . . .                           | 613  |
| The battle of Steenkirk . . . . .                                       | ib.  | The death of some lords . . . . .                                      | ib.  |
| Affairs in Germany . . . . .                                            | 582  | The lords justices, who . . . . .                                      | ib.  |
| And in Hungary . . . . .                                                | ib.  | The campaign in Flanders . . . . .                                     | 614  |
| And Piedmont . . . . .                                                  | 583  | The siege of Namur . . . . .                                           | ib.  |
| A great earthquake . . . . .                                            | ib.  | Brussels bombarded by the French . . . . .                             | ib.  |
| A great corruption over England . . . . .                               | 584  | Namur taken by King William . . . . .                                  | 615  |
| A session of parliament . . . . .                                       | ib.  | Casal was surrendered . . . . .                                        | 616  |
| Jealousies of the ministry . . . . .                                    | 585  | Affairs at sea . . . . .                                               | ib.  |
| 1693.                                                                   |      | The losses of our merchants . . . . .                                  | ib.  |
| Complaints in parliament . . . . .                                      | ib.  | Affairs in Hungary . . . . .                                           | 617  |
| A Bill to exclude members of the House of Commons from places . . . . . | 586  | A parliament in Scotland . . . . .                                     | ib.  |
| Another for triennial parliaments . . . . .                             | ib.  | The business of Glencoe examined . . . . .                             | ib.  |
| A change in the ministry . . . . .                                      | 587  | An act there for a new company . . . . .                               | 618  |
| Factions formed against the court . . . . .                             | 589  | Affairs in Ireland . . . . .                                           | ib.  |
| Affairs in Flanders . . . . .                                           | ib.  | A new parliament called in England . . . . .                           | 619  |
| And in the empire . . . . .                                             | 590  | The state of the coin rectified . . . . .                              | ib.  |
| And in Piedmont . . . . .                                               | ib.  | An act for trials in cases of treason . . . . .                        | 620  |
| The battle of Landen . . . . .                                          | 591  | Acts concerning elections to parliament . . . . .                      | ib.  |
| Charleroy taken by the French . . . . .                                 | ib.  | Complaints of the Scotch Act . . . . .                                 | ib.  |
| Attempts for peace . . . . .                                            | ib.  | Scotland much set on supporting it . . . . .                           | ib.  |
| Our affairs at sea . . . . .                                            | 592  | A motion for a council of trade . . . . .                              | 621  |
| The Turkish fleet in great danger . . . . .                             | ib.  | A conspiracy discovered . . . . .                                      | ib.  |
| Great jealousies of the king's ministry . . . . .                       | 593  | Of assassinating the king . . . . .                                    | 622  |
| The state of the clergy and church . . . . .                            | 595  | And to invade the kingdom . . . . .                                    | ib.  |
| Affairs in Ireland . . . . .                                            | 596  |                                                                        |      |
| The queen's strictness, and pious designs . . . . .                     | ib.  | 1696.                                                                  |      |
| Affairs in Scotland . . . . .                                           | 597  | Many of the conspirators seized on . . . . .                           | 623  |
| A session of parliament there . . . . .                                 | ib.  | The design of the invasion broken . . . . .                            | ib.  |
| The Earl of Middleton went to France . . . . .                          | 598  | Porter discovered all . . . . .                                        | 624  |
| The Duke of Anjou offered to the Spaniards . . . . .                    | ib.  | Both houses of parliament enter into a voluntary association . . . . . | ib.  |
| The Duke of Shrewsbury again made secretary of state . . . . .          | ib.  | A fund granted on a land bank . . . . .                                | 625  |
| A bank erected . . . . .                                                | 599  | Charnock and others tried and executed . . . . .                       | ib.  |
| The conduct of the fleet examined . . . . .                             | ib.  | King James was not acquitted by them . . . . .                         | 626  |
| 1694.                                                                   |      | Friend and Perkins tried and suffered . . . . .                        | ib.  |
| The government misrepresented . . . . .                                 | 600  | They had public absolution given them . . . . .                        | 627  |
| The bishops are heavily charged . . . . .                               | ib.  | Other conspirators tried and executed . . . . .                        | ib.  |
| Debates concerning divorces . . . . .                                   | ib.  | Cook tried for the invasion . . . . .                                  | ib.  |
| The campaign in Flanders . . . . .                                      | 601  | The campaign beyond sea feebly carried on . . . . .                    | 628  |
| On the Rhine . . . . .                                                  | ib.  | A peace in Piedmont . . . . .                                          | ib.  |
|                                                                         |      | Affairs in Hungary . . . . .                                           | 629  |
|                                                                         |      | Affairs at sea . . . . .                                               | ib.  |

|                                                                     | PAGE |                                                                  | PAGE |
|---------------------------------------------------------------------|------|------------------------------------------------------------------|------|
| Affairs in Scotland . . . . .                                       | 620  | Affairs in Holstein . . . . .                                    | 659  |
| A treaty of peace set on foot by the French . . . . .               | ib.  | A war raised against the King of Sweden . . . . .                | 660  |
| A session of parliament in England . . . . .                        | ib.  | The King of Poland's designs . . . . .                           | ib.  |
| Fenwick's business . . . . .                                        | 631  | The partition treaty . . . . .                                   | ib.  |
| Many delays in it . . . . .                                         | 632  | The affairs of Scotland . . . . .                                | 661  |
| Practices upon the witnesses . . . . .                              | ib.  | Great discontent upon the loss of Darien . . . . .               | 662  |
| A bill of attainder against Fenwick . . . . .                       | ib.  | A session of parliament . . . . .                                | 663  |
| Reasons against it . . . . .                                        | 633  | A complaint made of some pirates . . . . .                       | ib.  |
| Reasons for the bill . . . . .                                      | ib.  |                                                                  |      |
| 1697.                                                               |      | 1700.                                                            |      |
| The grounds upon which such a bill was necessary and just . . . . . | 635  | Debates concerning forfeited estates in Ireland . . . . .        | 664  |
| The bill passed . . . . .                                           | 636  | An act vesting them in trustees . . . . .                        | ib.  |
| Practices against the duke of Shroxbury . . . . .                   | ib.  | A change in the ministry . . . . .                               | 665  |
| Fenwick's execution . . . . .                                       | 637  | Lord Somers is turned out . . . . .                              | 666  |
| Affairs in Flanders . . . . .                                       | 638  | A fleet sent to the Sound . . . . .                              | 667  |
| Barcelona taken by the French . . . . .                             | ib.  | Peace between Denmark and Sweden . . . . .                       | 668  |
| A French squadron in the West Indies . . . . .                      | ib.  | Censures passed on the partition treaty . . . . .                | ib.  |
| The King of Poland's death . . . . .                                | 639  | The death of the Duke of Gloucester . . . . .                    | ib.  |
| The Elector of Saxony chosen King of Poland . . . . .               | ib.  | The temper of the nation . . . . .                               | 669  |
| The Czar travelled to Holland and England . . . . .                 | 640  | Divisions among the dissenters . . . . .                         | ib.  |
| The Prince of Conti sailed to Dantzic . . . . .                     | ib.  | And among the quakers . . . . .                                  | 670  |
| The treaty at Ryswick . . . . .                                     | 641  | A division in the church . . . . .                               | ib.  |
| The king of Sweden's death . . . . .                                | ib.  | Debates concerning the Bishop of St. David's . . . . .           | 671  |
| His son is mediator at the treaty of Ryswick . . . . .              | ib.  | The death of the King of Spain . . . . .                         | 672  |
| The peace made, and the treaty signed . . . . .                     | 642  | Clement XI. chosen pope . . . . .                                | ib.  |
| Reflections on the peace . . . . .                                  | 643  | The King of Spain's will is accepted . . . . .                   | ib.  |
| The Turks' army in Hungary routed . . . . .                         | 644  | The duke of Anjou declared King of Spain . . . . .               | ib.  |
| The peace of Carlowitz . . . . .                                    | ib.  | A new parliament summoned . . . . .                              | 673  |
| The duration of the Turkish war . . . . .                           | ib.  | A new ministry . . . . .                                         | ib.  |
| The king came back to England . . . . .                             | 645  | The King of Sweden's glorious campaign . . . . .                 | 675  |
| Consultations about a standing army . . . . .                       | ib.  |                                                                  |      |
| The matter argued on both sides . . . . .                           | ib.  | 1701.                                                            |      |
| A session of parliament . . . . .                                   | 646  | Great apprehensions of the danger Europe was now in . . . . .    | ib.  |
| A small force kept up . . . . .                                     | ib.  | A party for France in the parliament . . . . .                   | 676  |
| 1698.                                                               |      | Partiality in judging elections . . . . .                        | ib.  |
| The earl of Sunderland retired from business . . . . .              | ib.  | The partition treaty charged in the House of Lords . . . . .     | 677  |
| The civil list settled on the king for life . . . . .               | ib.  | The Lords, advised with in it, opposed it . . . . .              | ib.  |
| A new East-India Company . . . . .                                  | 647  | An address to the king about it . . . . .                        | 678  |
| The whigs lose their credit in the nation . . . . .                 | ib.  | Memorials sent from the States . . . . .                         | ib.  |
| The king of Spain's ill state of health . . . . .                   | ib.  | A design to impeach the former ministry . . . . .                | 679  |
| The duke of Gloucester put in a method of education . . . . .       | 648  | They are impeached . . . . .                                     | 680  |
| The progress of Socinianism . . . . .                               | 649  | The Lord Somers heard by the House of Commons . . . . .          | ib.  |
| Different explanations of the Trinity . . . . .                     | ib.  | Contrary addresses of the two houses . . . . .                   | 681  |
| Dr. Sherlock left the Jacobites . . . . .                           | ib.  | The king owns the King of Spain . . . . .                        | ib.  |
| Dr. South wrote against him . . . . .                               | 650  | Negotiations in several places . . . . .                         | 682  |
| The king's injunctions silence those disputes . . . . .             | ib.  | An act declaring a protestant successor . . . . .                | ib.  |
| Divisions amongst the clergy . . . . .                              | ib.  | An act explaining privilege . . . . .                            | 684  |
| Divisions amongst the papists . . . . .                             | 651  | Proceedings upon the impeachments . . . . .                      | ib.  |
| The Scotch settle at Darien . . . . .                               | ib.  | And first the articles against the Earl of Orford . . . . .      | ib.  |
| Great disputes about it . . . . .                                   | 652  | The Earl of Orford's answer . . . . .                            | ib.  |
| The present ministry's good conduct . . . . .                       | ib.  | Articles of impeachment against Lord Somers . . . . .            | 685  |
| A new parliament . . . . .                                          | ib.  | Lord Somers's answer . . . . .                                   | ib.  |
| The forces much diminished . . . . .                                | 653  | Articles of impeachment against Lord Halifax . . . . .           | ib.  |
| A party opposed the king with great bitterness . . . . .            | 654  | Lord Halifax's answer . . . . .                                  | ib.  |
| 1699.                                                               |      | The proceedings of parliament much censured . . . . .            | ib.  |
| A debate concerning grants of Irish estates . . . . .               | ib.  | The Kentish petition . . . . .                                   | 686  |
| The Czar of Muscovy in England . . . . .                            | 655  | Messages passed between the two houses . . . . .                 | ib.  |
| The affairs of Poland . . . . .                                     | ib.  | The lords tried and acquitted . . . . .                          | 688  |
| And Sweden . . . . .                                                | ib.  | A convocation of the clergy met . . . . .                        | 689  |
| A treaty for the succession to the crown of Spain . . . . .         | 656  | They dispute the archbishop's power of adjourning them . . . . . | 690  |
| The Earl of Albemarle's favour . . . . .                            | ib.  | They censure Brooks . . . . .                                    | ib.  |
| The death of the Duke of Bolton . . . . .                           | 657  | And complain of my Exposition . . . . .                          | 691  |
| And of Sir Josiah Child . . . . .                                   | ib.  | The king was still reserved . . . . .                            | 692  |
| The Archbishop of Cambray's book condemned . . . . .                | ib.  | Prince Eugene marched into Italy . . . . .                       | ib.  |
| The Bishop of St. David's deprived for simony . . . . .             | ib.  | His attempt upon Cremona . . . . .                               | 693  |
| I published an exposition of the Thirty-nine Articles . . . . .     | 658  | King Philip at Barcelona . . . . .                               | ib.  |
| The growth of popery . . . . .                                      | 659  | The war in Poland . . . . .                                      | 694  |
| An act against papists . . . . .                                    | ib.  | Several negotiations . . . . .                                   | ib.  |
|                                                                     |      | A parliament in Scotland . . . . .                               | ib.  |
|                                                                     |      | Affairs in Ireland . . . . .                                     | ib.  |



# CONTENTS.

xvii

|                                                                                   | PAGE | 1703.                                                                                             | PAGE |
|-----------------------------------------------------------------------------------|------|---------------------------------------------------------------------------------------------------|------|
| King James's death . . . . .                                                      | 695  | Preparations for the campaign . . . . .                                                           | 727  |
| His character . . . . .                                                           | 696  | Bonne taken . . . . .                                                                             | 728  |
| The pretended Prince of Wales owned King of England by the French court . . . . . | ib.  | Earthquakes in Italy . . . . .                                                                    | ib.  |
| The English nation inflamed at it . . . . .                                       | 697  | The battle of Eckeren . . . . .                                                                   | ib.  |
| A new parliament called . . . . .                                                 | ib.  | Huy, Limburgh, and Guelder, with all the Coudras, taken . . . . .                                 | ib.  |
| The king's last speech . . . . .                                                  | ib.  | The success of the French on the Danube . . . . .                                                 | 729  |
| All were for a war . . . . .                                                      | ib.  | Little done in Italy . . . . .                                                                    | ib.  |
| The pretended Prince of Wales attainted . . . . .                                 | 698  | A war begun in Hungary . . . . .                                                                  | ib.  |
| An act for abjuring him . . . . .                                                 | ib.  | Disorders in the emperor's court . . . . .                                                        | ib.  |
| Affairs in Ireland . . . . .                                                      | 699  | Augsburg and Landaw taken by the French . . . . .                                                 | ib.  |
|                                                                                   |      | A treaty with the King of Portugal . . . . .                                                      | 730  |
| 1702.                                                                             |      | The high wind in November . . . . .                                                               | 731  |
| The king's illness and fall from his horse . . . . .                              | 700  | The new King of Spain came to England . . . . .                                                   | 732  |
| His death . . . . .                                                               | 701  | He landed at Lisbon . . . . .                                                                     | ib.  |
| His character . . . . .                                                           | 702  | The Duke of Savoy came into the alliance . . . . .                                                | ib.  |
|                                                                                   |      | The secret reasons of his former departure from it . . . . .                                      | ib.  |
| BOOK VII.                                                                         |      | The French discover his intentions, and make all his troops with them prisoners of war . . . . .  | 733  |
| QUEEN ANNE succeeds . . . . .                                                     | 704  | Count Staremberg joined him . . . . .                                                             | ib.  |
| Her first speech to the privy council . . . . .                                   | ib.  | The insurrection in the Cevennes continued . . . . .                                              | ib.  |
| She pursues the alliance and the war . . . . .                                    | ib.  | The affairs of Poland . . . . .                                                                   | 734  |
| A bill for the public accounts . . . . .                                          | 705  | Affairs at sea . . . . .                                                                          | ib.  |
| A ministry formed . . . . .                                                       | ib.  | A fleet sent into the Mediterranean . . . . .                                                     | 735  |
| Few refused the abjuration oath . . . . .                                         | 707  | Another to the West Indies . . . . .                                                              | ib.  |
| The union of both kingdoms proposed . . . . .                                     | ib.  | They returned without success . . . . .                                                           | ib.  |
| The war with France proclaimed . . . . .                                          | ib.  | Our fleets were ill-victualled . . . . .                                                          | 736  |
| A false report of designs against the queen . . . . .                             | ib.  | The affairs of Scotland . . . . .                                                                 | ib.  |
| The parliament is dissolved . . . . .                                             | 708  | Presbytery was confirmed . . . . .                                                                | ib.  |
| A convocation sat . . . . .                                                       | ib.  | Debates concerning the succession to that crown . . . . .                                         | ib.  |
| Societies for reformation . . . . .                                               | 709  | Practices from France . . . . .                                                                   | 737  |
| Affairs in Scotland . . . . .                                                     | ib.  | A discovery made of these . . . . .                                                               | ib.  |
| A session of parliament there . . . . .                                           | 711  | Reflections on the conduct of affairs in Scotland . . . . .                                       | 738  |
| Affairs in Germany . . . . .                                                      | ib.  | The affairs of Ireland . . . . .                                                                  | ib.  |
| The war in Poland . . . . .                                                       | ib.  | An act passed there against popery . . . . .                                                      | 739  |
| A treaty with the house of Bavaria . . . . .                                      | ib.  | Jealousies of the ministry . . . . .                                                              | 740  |
| The siege of Keiserwaert . . . . .                                                | 712  | A bill against occasional conformity . . . . .                                                    | ib.  |
| The siege of Landaw . . . . .                                                     | ib.  | Passed by the House of Commons . . . . .                                                          | ib.  |
| Keiserwaert taken . . . . .                                                       | ib.  | But rejected by the Lords . . . . .                                                               | 741  |
| The Earl of Marlborough commands the confederate army . . . . .                   | 713  | The clergy out of humour . . . . .                                                                | ib.  |
| Is taken by a party of the French, but gets out of their hands . . . . .          | 714  | The Commons vote all the necessary supplies . . . . .                                             | ib.  |
| Landaw was taken . . . . .                                                        | ib.  | Inquiries into the conduct of the fleet . . . . .                                                 | ib.  |
| The elector of Bavaria declares for France . . . . .                              | ib.  | The Earl of Orford's accounts justified . . . . .                                                 | ib.  |
| The war in Italy . . . . .                                                        | 715  |                                                                                                   |      |
| King Philip went to Italy . . . . .                                               | ib.  | 1704.                                                                                             |      |
| Affairs in Poland . . . . .                                                       | 716  | A bill for examining the public accounts, lost between the two houses . . . . .                   | 742  |
| An insurrection in the Cevennes . . . . .                                         | ib.  | A dispute concerning injustice in the elections of a member of parliament for Aylesbury . . . . . | ib.  |
| The English fleet sent to Cadix . . . . .                                         | ib.  | The Lords judge that the right to elect, is a right tryable at common law . . . . .               | 743  |
| They landed, and robbed St. Maries . . . . .                                      | 717  | The queen gave the tenths and first-fruits for an augmentation to poor livings . . . . .          | 744  |
| The galleons put in at Vigo . . . . .                                             | ib.  | An act passed about it . . . . .                                                                  | 745  |
| But are burnt or taken by the English . . . . .                                   | 718  | A plot discovered . . . . .                                                                       | 746  |
| The English fleet came home . . . . .                                             | ib.  | Disputes between the two houses in addresses to the queen . . . . .                               | 747  |
| A new parliament . . . . .                                                        | 719  | The Lords order a secret examination of all that are suspected to be in the plot . . . . .        | 748  |
| Great partiality in judging elections . . . . .                                   | ib.  | The Lords' opinion upon the whole matter . . . . .                                                | 750  |
| All the supply agreed to . . . . .                                                | 721  | An address justifying their proceeding . . . . .                                                  | ib.  |
| A bill against occasional conformity . . . . .                                    | ib.  | An act for recruits . . . . .                                                                     | ib.  |
| Great debates about it . . . . .                                                  | ib.  | An address concerning justices of peace . . . . .                                                 | 751  |
| The two houses disagreeing, the bill was lost . . . . .                           | 721  | The ill-temper of many of the clergy . . . . .                                                    | ib.  |
| A bill in favour of Prince George . . . . .                                       | 722  | The Duke of Marlborough went to Holland in the winter . . . . .                                   | ib.  |
| Debates on a clause that was in it . . . . .                                      | ib.  | The Earl of Nottingham quits his employment . . . . .                                             | 752  |
| A further security to the protestant succession . . . . .                         | ib.  | The Earl of Jersey and Sir Edward Seymour are turned out . . . . .                                | ib.  |
| The Earl of Rochester laid down his employment . . . . .                          | 723  | The Duke of Marlborough conducts his design with great secrecy . . . . .                          | ib.  |
| Rook's conduct examined and justified . . . . .                                   | ib.  |                                                                                                   |      |
| The inquiry made into the public accounts . . . . .                               | 724  |                                                                                                   |      |
| The clamour kept up against the former reign . . . . .                            | ib.  |                                                                                                   |      |
| Is examined by the lords, and found to be ill-grounded . . . . .                  | 725  |                                                                                                   |      |
| Some new peers made . . . . .                                                     | 726  |                                                                                                   |      |
| The proceedings in convocation . . . . .                                          | ib.  |                                                                                                   |      |
| Great distractions among the clergy . . . . .                                     | 727  |                                                                                                   |      |

|                                                                                                   | PAGE |                                                                                            | PAGE |
|---------------------------------------------------------------------------------------------------|------|--------------------------------------------------------------------------------------------|------|
| He marches to the Danube . . . . .                                                                | 752  | The danger of the church inquired into . . . . .                                           | ib.  |
| The battle of Schellenberg . . . . .                                                              | 753  | A vote and address to the queen about it . . . . .                                         | ib.  |
| The battle of Hocksted or Blenheim . . . . .                                                      | 754  |                                                                                            |      |
| The Duke of Marlborough advanced to Trier . . . . .                                               | 755  | 1706.                                                                                      |      |
| Affairs at sea . . . . .                                                                          | 756  | Complaints of the allies rejected . . . . .                                                | 786  |
| Gibraltar was taken . . . . .                                                                     | 757  | The act against the Scots repealed . . . . .                                               | ib.  |
| The affairs of Portugal . . . . .                                                                 | ib.  | The public credit very high . . . . .                                                      | 787  |
| A fight at sea . . . . .                                                                          | ib.  | An act for the amendment of the law . . . . .                                              | ib.  |
| The siege of Gibraltar by the French . . . . .                                                    | 758  | Complaints of the progress of popery . . . . .                                             | 788  |
| Affairs in Italy . . . . .                                                                        | 759  | A design for a public library . . . . .                                                    | ib.  |
| And in the Cevennes . . . . .                                                                     | ib.  | Proceedings in convocation . . . . .                                                       | 789  |
| Affairs in Hungary . . . . .                                                                      | ib.  | Preparations for the campaign . . . . .                                                    | 790  |
| The affairs of Poland . . . . .                                                                   | 760  | A revolt in Valentia . . . . .                                                             | ib.  |
| The pope wholly in the French interest . . . . .                                                  | ib.  | Barcelona besieged by the French . . . . .                                                 | ib.  |
| The affairs of Scotland . . . . .                                                                 | 761  | Alcantara taken by the Earl of Galway . . . . .                                            | 791  |
| Debates about the succession . . . . .                                                            | 762  | The Germans are defeated in Italy . . . . .                                                | ib.  |
| The settling it put off for that session . . . . .                                                | ib.  | The treaty for the union of the two kingdoms . . . . .                                     | ib.  |
| A money bill with an odd tack to it . . . . .                                                     | ib.  | The siege of Barcelona raised . . . . .                                                    | 793  |
| The ministers there advise the queen to pass it . . . . .                                         | 763  | An eclipse of the sun . . . . .                                                            | ib.  |
| It was passed . . . . .                                                                           | ib.  | The Earl of Galway advanced into Spain . . . . .                                           | ib.  |
| Censures upon it . . . . .                                                                        | ib.  | King Philip came to Madrid, and soon left it . . . . .                                     | ib.  |
| A session of parliament in England . . . . .                                                      | 764  | The Earl of Galway came thither, but King Charles<br>delayed his coming too long . . . . . | ib.  |
| 1705.                                                                                             |      | The battle of Ramillies . . . . .                                                          | 794  |
| The occasional bill is again brought in and endeavoured<br>to be tacked to a money bill . . . . . | ib.  | A great victory gained there . . . . .                                                     | ib.  |
| The tack was rejected . . . . .                                                                   | 765  | Flanders and Brabant reduced . . . . .                                                     | 795  |
| Debates concerning Scotland . . . . .                                                             | ib.  | Ostend and Menin taken . . . . .                                                           | ib.  |
| Complaints of the Admiralty . . . . .                                                             | 766  | The Duke of Vendome commands in Flanders . . . . .                                         | ib.  |
| The bill against occasional conformity debated and<br>rejected by the Lords . . . . .             | ib.  | Dendermond and Aeth taken . . . . .                                                        | ib.  |
| Bishop Watson's practices . . . . .                                                               | 767  | Designs of a descent in France . . . . .                                                   | 796  |
| Some promotions in the church . . . . .                                                           | ib.  | The siege of Turin . . . . .                                                               | ib.  |
| Designs with relation to the electress of Hanover . . . . .                                       | 768  | Prince Eugene marches before it . . . . .                                                  | ib.  |
| The House of Commons imprison some of the men<br>of Aylesbury . . . . .                           | ib.  | The French army routed and the siege raised . . . . .                                      | 797  |
| The end of the parliament . . . . .                                                               | 770  | The King of Sweden marched into Saxony . . . . .                                           | 798  |
| Bills that were not passed . . . . .                                                              | ib.  | The treaty of union concluded here . . . . .                                               | ib.  |
| Proceedings in the convocation . . . . .                                                          | 771  | The articles of the union . . . . .                                                        | ib.  |
| The siege of Gibraltar raised . . . . .                                                           | ib.  | Debated long in the parliament of Scotland . . . . .                                       | 799  |
| The Duke of Marlborough marched to Trier . . . . .                                                | 772  |                                                                                            |      |
| Expecting the Prince of Baden . . . . .                                                           | ib.  | 1707.                                                                                      |      |
| Who failed him . . . . .                                                                          | ib.  | At last agreed to by both parliaments . . . . .                                            | 801  |
| The Duke of Marlborough broke through the<br>French lines . . . . .                               | ib.  | The equivalent disposed of . . . . .                                                       | 803  |
| The Dutch would not venture a battle . . . . .                                                    | 773  | Reflections on the union . . . . .                                                         | 804  |
| The Emperor Leopold's death and character . . . . .                                               | ib.  | The supplies were granted . . . . .                                                        | 805  |
| Affairs in Germany . . . . .                                                                      | 774  | Proceedings in convocation . . . . .                                                       | 806  |
| And in Italy . . . . .                                                                            | ib.  | Affairs in Italy . . . . .                                                                 | 807  |
| Affairs in Spain . . . . .                                                                        | ib.  | And in Poland . . . . .                                                                    | ib.  |
| A fleet and army sent to Spain . . . . .                                                          | 775  | The character of the King of Sweden . . . . .                                              | 808  |
| They landed near Barcelona . . . . .                                                              | ib.  | Propositions for a peace . . . . .                                                         | ib.  |
| King Charles pressed to besiege it . . . . .                                                      | ib.  | The battle of Almanza . . . . .                                                            | ib.  |
| Fort Monjuí attacked . . . . .                                                                    | 776  | The design upon Toulon . . . . .                                                           | 809  |
| And taken . . . . .                                                                               | 777  | It failed in the execution . . . . .                                                       | 810  |
| Barcelona capitulated . . . . .                                                                   | ib.  | The siege of Lerida . . . . .                                                              | 811  |
| King Charles's letters . . . . .                                                                  | ib.  | Relief sent to Spain . . . . .                                                             | ib.  |
| Affairs at sea . . . . .                                                                          | ib.  | The conquest of Naples by the emperor . . . . .                                            | 812  |
| The siege of Badajoz raised by the French . . . . .                                               | ib.  | Affairs on the Rhine . . . . .                                                             | ib.  |
| Affairs in Hungary . . . . .                                                                      | 778  | The King of Prussia judged Prince of Neufchatel . . . . .                                  | 813  |
| And in Poland . . . . .                                                                           | ib.  | The King of Sweden gets the protestant churches<br>in Silesia restored . . . . .           | ib.  |
| A parliament chosen in England . . . . .                                                          | ib.  | A sedition in Hamburg . . . . .                                                            | 814  |
| Cowper made lord-keeper . . . . .                                                                 | 779  | The campaign in Flanders . . . . .                                                         | ib.  |
| An act for a treaty of union passed in Scotland . . . . .                                         | 780  | Affairs at sea . . . . .                                                                   | ib.  |
| The state of Ireland . . . . .                                                                    | ib.  | Proceedings with relation to Scotland . . . . .                                            | 815  |
| A parliament in England . . . . .                                                                 | 781  | A new party at court . . . . .                                                             | 816  |
| A speaker chosen . . . . .                                                                        | ib.  | Promotions in the church . . . . .                                                         | ib.  |
| Debates about the next successor . . . . .                                                        | ib.  | Complaints of the Admiralty . . . . .                                                      | 818  |
| A bill for a regency on the queen's death . . . . .                                               | 782  | Examined by the House of Lords . . . . .                                                   | ib.  |
| Great opposition made to it . . . . .                                                             | 783  | And laid before the queen in an address . . . . .                                          | 819  |
| A secret management in the House of Commons . . . . .                                             | 784  | Inquiry into the affairs of Spain . . . . .                                                | 820  |
| The act of regency passed . . . . .                                                               | 785  |                                                                                            |      |
|                                                                                                   |      | 1708.                                                                                      |      |
|                                                                                                   |      | Discovery of a correspondence with France . . . . .                                        | 821  |
|                                                                                                   |      | An examination into that correspondence . . . . .                                          | 822  |



# CONTENTS.

xix

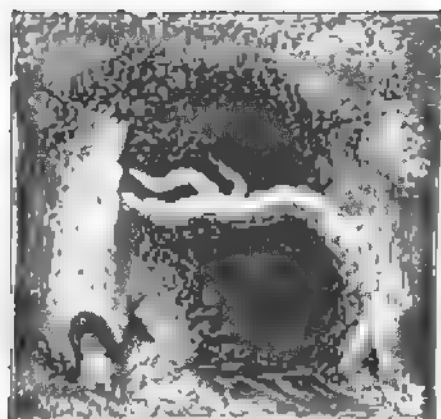
|                                                                                               | PAGE |                                                                                 | PAGE |
|-----------------------------------------------------------------------------------------------|------|---------------------------------------------------------------------------------|------|
| Proceedings with relation to Scotland . . .                                                   | 823  | The war went on in Spain . . .                                                  | 842  |
| A descent intended upon Scotland . . .                                                        | 824  | In Dauphiny . . .                                                               | 843  |
| A fleet sailed from Dunkirk . . .                                                             | ib.  | In Germany . . .                                                                | ib.  |
| Reports spread by the French . . .                                                            | 825  | And in Flanders . . .                                                           | ib.  |
| The parliament stands firmly by the queen . . .                                               | ib.  | Tournay is besieged and taken . . .                                             | ib.  |
| The French fleet got again into Dunkirk . . .                                                 | ib.  | The battle of Blareignies . . .                                                 | ib.  |
| The designs of the campaign are concerted . . .                                               | 826  | Mons is besieged and taken . . .                                                | 844  |
| The princes of France sent to the army in Flanders . . .                                      | ib.  | Affairs in Italy . . .                                                          | ib.  |
| The Duke of Orleans sent to Spain . . .                                                       | ib.  | Affairs in Spain . . .                                                          | ib.  |
| Tortosa besieged and taken . . .                                                              | ib.  | The King of Sweden's defeat at Pultowa . . .                                    | ib.  |
| Supplies sent from Italy to Spain . . .                                                       | 827  | He flies into Turkey . . .                                                      | ib.  |
| Ghent and Bruges taken by the French . . .                                                    | ib.  | His character by Dr. Robinson . . .                                             | 845  |
| The battle of Oudenarde . . .                                                                 | ib.  | Affairs in Denmark . . .                                                        | ib.  |
| Lisle besieged . . .                                                                          | 828  | Our fleet well conducted . . .                                                  | 846  |
| The French draw lines along the Scheld . . .                                                  | ib.  | A session of parliament . . .                                                   | ib.  |
| A new supply sent to Ostend . . .                                                             | ib.  | Sacheverell's sermon . . .                                                      | ib.  |
| A defeat given the French when they were three to one . . .                                   | 829  | Many books wrote against the queen's title . . .                                | 847  |
| The convoy from Ostend came safe to the camp . . .                                            | ib.  | Dr. Hoadley's writings in defence of it . . .                                   | ib.  |
| Leffinghen taken by the French . . .                                                          | ib.  |                                                                                 |      |
| A misunderstanding between the Duke of Burgundy and Duke of Vendome . . .                     | ib.  | 1710.                                                                           |      |
| Affairs on the Upper Rhine . . .                                                              | ib.  | Sacheverell was impeached by the House of Com- mons . . .                       | 848  |
| The Elector of Bavaria sent to attack Brussels . . .                                          | 830  | And tried in Westminster Hall . . .                                             | ib.  |
| The Duke of Marlborough passed the Scheld and the French lines . . .                          | ib.  | Great disorders at that time . . .                                              | 849  |
| The Elector of Bavaria drew off from Brussels . . .                                           | ib.  | The continuation of the trial . . .                                             | 850  |
| The citadel of Lisle capitulated . . .                                                        | ib.  | Sir John Holt's death and character . . .                                       | ib.  |
| Reflections upon that siege . . .                                                             | ib.  | Parker made lord chief justice . . .                                            | ib.  |
| Ghent and Bruges are retaken . . .                                                            | 831  | Debates in the House of Lords after the trial . . .                             | ib.  |
| A very hard winter . . .                                                                      | ib.  | He is censured very gently . . .                                                | 851  |
| Sardinia and Minorca reduced . . .                                                            | ib.  | Addresses against the parliament . . .                                          | 852  |
| The pope threatens the emperor with censures and a war . . .                                  | ib.  | The queen's speech at the end of the session . . .                              | ib.  |
| The Duke of Savoy takes Exiles and Fenestrella . . .                                          | 832  | The Duke of Shrewsbury made lord chamberlain . . .                              | ib.  |
| The pope is forced to submit to the emperor . . .                                             | ib.  | The author's free discourse to the queen . . .                                  | 853  |
| And acknowledges King Charles . . .                                                           | ib.  | Doway is besieged and taken . . .                                               | ib.  |
| Affairs in Hungary . . .                                                                      | ib.  | The history continued to the peace . . .                                        | ib.  |
| And in Poland . . .                                                                           | ib.  | Negotiations for a peace . . .                                                  | 854  |
| Affairs at sea . . .                                                                          | 833  | The conferences at Gertruydenberg . . .                                         | 855  |
| Prince George's death and character . . .                                                     | ib.  | All came to no conclusion . . .                                                 | ib.  |
| Some new ministers taken in . . .                                                             | 834  | A change of the ministry in England . . .                                       | 856  |
| The new parliament opened . . .                                                               | ib.  | Sacheverell's progress into Wales . . .                                         | ib.  |
|                                                                                               |      | The conduct in elections to parliament . . .                                    | 857  |
| 1709.                                                                                         |      | A sinking of public credit . . .                                                | ib.  |
| Debates concerning the election of Scotch peers . . .                                         | ib.  | The affairs in Spain . . .                                                      | ib.  |
| A Scotch peer created a peer of Great Britain, is to have no vote in the election there . . . | 835  | The battle of Almanara . . .                                                    | ib.  |
| Other exceptions were determined . . .                                                        | ib.  | King Charles is at Madrid . . .                                                 | 858  |
| A faction amongst the Scots . . .                                                             | ib.  | The battle of Villa Viciosa . . .                                               | ib.  |
| An act concerning trials of treasons in Scotland, and on what occasion . . .                  | 836  | The disgrace of the Duke of Medina Cell . . .                                   | ib.  |
| The heads of that act . . .                                                                   | ib.  | Bethune and Aire taken in Flanders . . .                                        | ib.  |
| The forms of proceeding in Scotland . . .                                                     | ib.  | Affairs in the North . . .                                                      | 859  |
| Of the forfeitures in cases of treason . . .                                                  | 837  | The new parliament opened . . .                                                 | ib.  |
| Amendments to the act . . .                                                                   | 838  |                                                                                 |      |
| Is passed in both houses . . .                                                                | ib.  | 1711.                                                                           |      |
| An act of grace . . .                                                                         | ib.  | The conduct in Spain censured by the Lords . . .                                | ib.  |
| An enlargement of the fund of the bank . . .                                                  | ib.  | The strange way of proceeding therein . . .                                     | 861  |
| Great riches come to Portugal from America . . .                                              | 839  | Some abuses in the navy censured by the House of Commons . . .                  | 862  |
| An act for a general naturalization of all foreign protestants . . .                          | ib.  | Supplies given for the war . . .                                                | ib.  |
| An address to the queen concerning the terms on which a peace might be made . . .             | ib.  | The Duke of Marlborough commands the army in Flanders . . .                     | ib.  |
| The convocation prorogued . . .                                                               | ib.  | Complaints of the favour shewn the Palatines . . .                              | ib.  |
| A faction amongst the clergy in Ireland . . .                                                 | ib.  | A bill to repeal the general naturalization act, is rejected by the Lords . . . | 863  |
| An ill temper amongst the English clergy . . .                                                | 840  | A bill for qualifying members passed . . .                                      | ib.  |
| Negotiations for peace . . .                                                                  | ib.  | An act for importing French wine . . .                                          | ib.  |
| The preliminaries agreed on . . .                                                             | 841  | An attempt on Harley by Guiscard . . .                                          | 864  |
| The King of France refuses to ratify them . . .                                               | ib.  | A design against King William's grants miscarries . . .                         | 865  |
| The war went on . . .                                                                         | 842  | Inquiries into the public accounts . . .                                        | ib.  |
| In Portugal . . .                                                                             | ib.  | The dauphin and the emperor's death . . .                                       | 866  |
|                                                                                               |      | War breaking out between the Turk and the czar . . .                            | ib.  |
|                                                                                               |      | The convocation met . . .                                                       | ib.  |
|                                                                                               |      | Exceptions to the licence sent them . . .                                       | ib.  |
|                                                                                               |      | A new licence . . .                                                             | 867  |

|                                                                                                                                        | PAGE |                                                                                                                 | PAGE |
|----------------------------------------------------------------------------------------------------------------------------------------|------|-----------------------------------------------------------------------------------------------------------------|------|
| A representation of the lower house . . .                                                                                              | 867  | An indignation in both houses at the French proposals . . .                                                     | ib.  |
| Whiston revives arianism . . .                                                                                                         | ib.  | The demands of the allies . . .                                                                                 | 886  |
| The different opinion of the judges as to the power of the convocation . . .                                                           | 868  | Preparations for the campaign . . .                                                                             | ib.  |
| Whiston's doctrines condemned . . .                                                                                                    | ib.  | The Pretender's sister died . . .                                                                               | 886  |
| An act for the south-sea trade . . .                                                                                                   | 867  | Proceedings in the convocation . . .                                                                            | ib.  |
| Reflections on the old ministry cleared . . .                                                                                          | ib.  | The censure on Whiston's book not confirmed by the queen . . .                                                  | ib.  |
| Affairs in Spain . . .                                                                                                                 | ib.  | An inclination in some of the clergy towards popery . . .                                                       | 887  |
| King Charles is elected emperor . . .                                                                                                  | ib.  | Dodwell's notions . . .                                                                                         | ib.  |
| The Duke of Marlborough passed the French lines . . .                                                                                  | 870  | The bishops condemn the re-baptizing dissenters . . .                                                           | 888  |
| He besieged Bouchain, and took it . . .                                                                                                | ib.  | But the lower house would not agree with them . . .                                                             | ib.  |
| An expedition by sea to Canada . . .                                                                                                   | 871  | Great supplies given for the war . . .                                                                          | ib.  |
| It miscarries . . .                                                                                                                    | ib.  | The Duke of Ormond ordered not to act offensively . . .                                                         | 889  |
| Affairs in Turkey . . .                                                                                                                | ib.  | A separate peace disowned by the lord treasurer . . .                                                           | ib.  |
| And in Pomerania . . .                                                                                                                 | 872  | The queen, by the Bishop of Bristol, declares she is free from all engagements with the States . . .            | ib.  |
| Harley made an Earl, and Lord Treasurer . . .                                                                                          | ib.  | The queen laid the plan of the peace before the parliament . . .                                                | 890  |
| Negotiations for a peace with France . . .                                                                                             | ib.  | Addresses of both houses upon it . . .                                                                          | ib.  |
| Preliminaries offered by France . . .                                                                                                  | 873  | The end of the session of parliament . . .                                                                      | ib.  |
| Count Gallas sent away in disgrace . . .                                                                                               | ib.  | The Duke of Ormond proclaims a cessation of arms, and left Prince Eugene's army . . .                           | ib.  |
| Earl of Strafford sent ambassador to Holland . . .                                                                                     | ib.  | Queensoy is taken . . .                                                                                         | 891  |
| Many libels against the allies . . .                                                                                                   | ib.  | Landrecy besieged . . .                                                                                         | ib.  |
| Earl Rivers sent to Hanover, but without success . . .                                                                                 | 874  | A great loss at Denain brought a reverse on the campaign . . .                                                  | ib.  |
| The States are forced to open a treaty . . .                                                                                           | ib.  | Distractions at the Hague . . .                                                                                 | ib.  |
| Endeavours used by the court before they opened the parliament . . .                                                                   | ib.  | The renunciations of the succession in Spain and France . . .                                                   | 892  |
| The queen's speech, and reflections on it . . .                                                                                        | ib.  | Duke Hamilton and Lord Mohun killed in a combat . . .                                                           | ib.  |
| The Earl of Nottingham moved, that no peace could be safe, unless Spain and the West Indies were taken from the House of Bourbon . . . | 875  | The Duke of Shrewsbury is sent to France, and Duke d'Aumont comes to England . . .                              | ib.  |
| His motion agreed to by the Lords in their address to the queen . . .                                                                  | ib.  | The affairs in the North . . .                                                                                  | ib.  |
| The queen's answer . . .                                                                                                               | ib.  | The emperor prepares for the war with France . . .                                                              | 893  |
| A bill against occasional conformity . . .                                                                                             | ib.  | A new Barrier Treaty with the States . . .                                                                      | ib.  |
| Passed without opposition . . .                                                                                                        | 876  | The Earl of Godolphin's death and character . . .                                                               | ib.  |
| Duke Hamilton's patent as a British peer . . .                                                                                         | ib.  | The Duke of Marlborough went to live beyond sea . . .                                                           | ib.  |
| Examined, and judged against him . . .                                                                                                 | 877  | We possess Dunkirk in a precarious manner . . .                                                                 | 894  |
| The Lords' address, that our allies may be carried along with us in the treaty . . .                                                   | ib.  | The Barrier Treaty signed . . .                                                                                 | ib.  |
| Pretended discoveries of bribery . . .                                                                                                 | ib.  | Seven prorogations of parliament . . .                                                                          | ib.  |
| The Duke of Marlborough aimed at . . .                                                                                                 | ib.  | Affairs of Sweden . . .                                                                                         | ib.  |
| He is turned out of all his employments . . .                                                                                          | 878  |                                                                                                                 |      |
| Twelve new peers made . . .                                                                                                            | ib.  |                                                                                                                 |      |
| 1712.                                                                                                                                  |      | 1713.                                                                                                           |      |
| The queen's message to the Lords to adjourn, is disputed but obeyed . . .                                                              | ib.  | The King of Prussia's death . . .                                                                               | ib.  |
| Prince Eugene came to England . . .                                                                                                    | 879  | The King of Sweden's misfortunes . . .                                                                          | 895  |
| His character . . .                                                                                                                    | ib.  | The treaties of peace signed, and the session of parliament opened . . .                                        | ib.  |
| A message from the queen to both houses . . .                                                                                          | ib.  | The substance of the treaties of peace and of commerce . . .                                                    | ib.  |
| A bill giving precedence to the House of Hanover . . .                                                                                 | ib.  | Aids given by the Commons . . .                                                                                 | 897  |
| A debate concerning the Scotch peers . . .                                                                                             | 880  | The Scots oppose their being charged with the duty on malt . . .                                                | ib.  |
| Walpole's case and censure . . .                                                                                                       | ib.  | And move to have the union dissolved . . .                                                                      | ib.  |
| The censure put on the Duke of Marlborough . . .                                                                                       | ib.  | A bill for rendering the treaty of commerce with France effectual . . .                                         | 898  |
| Many libels wrote against him . . .                                                                                                    | ib.  | A speech prepared by the author, when the approbation of the peace came to be moved in the House of Lords . . . | 899  |
| His innocence appeared evidently . . .                                                                                                 | 881  | A demand for mortgaging part of the civil list . . .                                                            | 901  |
| The Scotch lords put in good hopes . . .                                                                                               | ib.  | Reasons against it . . .                                                                                        | ib.  |
| A toleration of the English liturgy in Scotland . . .                                                                                  | ib.  | But it was granted . . .                                                                                        | ib.  |
| Designs to provoke the presbyterians there . . .                                                                                       | 882  | An address of both houses, that the Pretender be removed from Lorrain . . .                                     | ib.  |
| Patronages are restored . . .                                                                                                          | ib.  | The death of some bishops . . .                                                                                 | 902  |
| The barrier treaty . . .                                                                                                               | ib.  | The queen's speech at the end of the session . . .                                                              | ib.  |
| It was complained of . . .                                                                                                             | 883  |                                                                                                                 |      |
| And condemned by the House of Commons . . .                                                                                            | ib.  |                                                                                                                 |      |
| The States justify themselves . . .                                                                                                    | 884  |                                                                                                                 |      |
| The self denying bill is thrown out . . .                                                                                              | ib.  |                                                                                                                 |      |
| The treaty at Utrecht opened . . .                                                                                                     | ib.  |                                                                                                                 |      |
| The French proposals . . .                                                                                                             | ib.  |                                                                                                                 |      |
| The death of the two dauphins . . .                                                                                                    | 885  |                                                                                                                 |      |
| The character of the dauphin . . .                                                                                                     | ib.  |                                                                                                                 |      |
|                                                                                                                                        |      | THE CONCLUSION . . .                                                                                            | 904  |



## INTRODUCTION.

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APPLY for his own mental tranquillity, but unfortunately for his contemporary fame, Dr. Gilbert Burnet \* was a firm advocate for universal toleration. Living at a period when political partisanship and religious bigotry were stimulated to frantic excesses, it ceases to be a cause of astonishment that he was never entirely trusted, or unreservedly praised, by either of the extreme parties who then convulsed the nation—each was then struggling to obtain supreme dominion over the other, in the civil and

religious institutions of our constitution. Dr. Burnet was a bishop, and he stood unflinchingly by the episcopal church : so far he was approved by the high church or Tory party ; but he found fault with the conduct of the bishops, who were forced upon, and who rode rough-shod over the Scottish people ; at the same time he deprecated the persecution of men whose only offence was that they preferred a presbyterian form of church government. This was enough to convince those, who lay it down as a principle that an opponent must be wrong in the superlative, that Burnet was a presbyterian at heart, though an episcopalian from interest : they, therefore, never trusted, much less did they advance him. He supported their measures when he approved of them, and was drily thanked : he reproved them, not even sparing the monarch for his sins, and in return was hated.

As the advocate of toleration for all political and religious creeds, he was admired and courted by those who suffered by the laws and government, which were actuated by a contrary spirit ; yet he did not go far or fast enough to satisfy them : he would not have them punished, or even deprived of their civil rights, merely because they differed with him in certain opinions ; but as he did not prefer a presbyterial to an episcopal church—as he always held it as a fixed principle, that resistance to an established government is not lawful

\* Dr. Burnet's father was the younger brother of a family distinguished for its antiquity, and considerable for its influence, in the shire of Aberdeen. He was educated for the profession of a civilian ; and although his excessive modesty prevented him appearing to advantage at the bar, yet he was generally esteemed a proficient in the knowledge of the civil law. He was eminent for probity and generosity in his practice : from the poor he never took a fee, nor from a clergyman when he sued in the cause of his church. In the year 1637, when the troubles in Scotland were breaking out, he censured so warmly the conduct of its bishops, and was so remarkable for his exemplary life, that he was generally called a puritan. But when he saw that, instead of reforming the abuses of the bishops, episcopacy itself was struck at, he declared himself its supporter with zeal and constancy. He as firmly maintained the rights of the crown against the attacks of the party which afterwards prevailed in both nations ; for, although he agreed with Barclay and Grotius that resist-

ance is lawful when the laws are broken through by a limited monarch, yet he did not think that was then the case in Scotland.

Dr. Burnet's mother was very eminent for her piety and virtue. She was a sister of the celebrated sir Archibald Johnston, called lord Warriston, who, during the civil war, headed the presbyterian party. Of their religious discipline she was a zealous admirer ; but neither her influence, nor the exercised power of her brother, could ever induce her husband to swerve in his adhesion to the cause of monarchy and the episcopal church. Exile, and the offers of preferment made to him by Oliver Cromwell, were alike unavailing ; so that, when permitted to return to Scotland, he lived retired upon his own estate, until the Restoration. He was then made one of the lords of session.

Under his parents, the early education of our author was pursued, and the fruits of their instruction and example are apparent throughout his career.—*Life by the Author's Son.*

on account of its single acts of injustice, unless it strikes at the very basis of the constitution \*: the enemies of the monarchy and of the established church always esteemed him to be as much their enemy as their friend †. The marquis of Halifax, whose mental acumen was better qualified to judge of other men's characters than to regulate his own, thus wrote his estimate of our author:—

“ Dr. Burnet ‡, like all men who are above the ordinary level, is seldom spoke of in a mean, he must either be railed at or admired; he has a swiftness of imagination, that no other man comes up to; and as our nature hardly allows us to have enough of any thing without having too much, he cannot at all times so hold in his thoughts but that at some time they may run away with him; as it is hard for a vessel, that is brim-full, when in motion, not to run over; and therefore the variety of matter, that he ever carries about him, may throw out more than an unkind critic would allow of. His first thoughts may sometimes require more digestion, not from a defect in his judgment, but from the abundance of his fancy, which furnishes too fast for him. His friends love him too well to see small faults; or, if they do, think that his greater talents give him a privilege of straying from the strict rules of caution, and exempt him from the ordinary rules of censure. He produces so fast, that what is well in his writings calls for admiration, and what is incorrect deserves an excuse; he may in some things require grains of allowance, which those only can deny him who are unknown, or unjust to him. He is not quicker in discerning other men's faults, than he is in forgiving them: so ready, or rather glad, to acknowledge his own, that from blemishes they become ornaments. All the repeated provocations of his indecent adversaries have had no other effect than the setting his good-nature in so much a better light, since his anger never yet went farther than to pity them. That heat, which in most other men raises sharpness and satire, in him glows into warmth for his friends, and compassion for those in want and misery. As dull men have quick eyes in discerning the smaller faults of those that nature has made superior to them, they do not miss one blot he makes, and being beholden only to their barrenness for their discretion, they fall upon the errors which arise out of his abundance; and by a mistake into which their malice betrays them, they think that by finding a mote in his eye, they hide the beams that are in their own. His quickness makes writing so easy a thing to him, that his spirits are neither wasted nor soured by it. The soil is not forced, every thing grows and brings forth without pangs; which distinguishes as much what he does from that which smells of the lamp, as a good palate will discern between fruit which comes from a rich mould, and that which tastes of the uncleanly pains that have been bestowed upon it. He makes many enemies, by setting an ill-natured example of living, which they are not inclined to follow. His indifference for preferment, his contempt not only of splendour, but of all unnecessary plenty, his degrading himself into the lowest and most painful duties of his calling, are such unprelatical qualities, that let him be never so orthodox in other things, in these he must be a dissenter. Virtues of such a stamp are so many heresies, in the opinion of those divines, who have softened the primitive injunctions, so as to make them suit better with the present frailty of mankind. No wonder, then, if they are angry, since it is in their own defence, or that from a principle of self-preservation

\* “ The presbyterian zealots,” says his son, “ hated him, as apprehending that his schemes of moderation would, in the end, prove the sure way of establishing episcopacy amongst them. The episcopal party, on the other hand, could not endure a man who was for exempting the dissenters from their persecutions.”

† Life by his son.

‡ The copy from which this is printed was taken from one given to the bishop, in the marquis of Halifax's own hand-writing, which was in the possession of the author's son, the year that George the First began to reign.



they should endeavour to suppress a man, whose parts are a shame, and whose life is a scandal to them."

Such was the estimate formed of Dr. Burnet by one of the most talented of his contemporaries; we shall be better able to judge of its justice when we have traced a few of the leading events of his life; and as these will be found to be every way worthy of him as a teacher of Christianity, the reader of his work will thence be predisposed to believe, that he who acted and suffered for that which he considered just, would not knowingly write that which is false.

The life of Dr. Burnet extended from 1643 to 1715, a series of years during which occurred the most memorable events in our national history. In those seventy-two years, Charles the First died upon the scaffold; our government passed through every grade of change from the most open republicanism to the most uncontrolled despotism—there was the despotism of the army and the despotism of Cromwell. It was the era of the war-struggle for supremacy, between protestant episcopacy, protestant dissent, and popery, in which James the Second<sup>1</sup> was ejected from the throne, and a new dynasty was admitted. All which events were the consequences of the great principle that came then for ever to be decided—whether the will and the interests of the people, or of the king, are to be most consulted in the conduct of our national affairs.

The first important question, and it was one dangerous and delicate, upon which our author had to declare his opinion, was concerning his own competency to fulfil the duties of the clerical office. There is no law of Scotland limiting the age at which a minister may take upon himself the cure of souls; consequently, having passed all his examinations and his probation, when he was offered by his kinsman, sir Alexander Burnet, an excellent benefice in the centre of his family connections, he had no restraint upon his decision but such as was dictated by his own heart. Burnet was only eighteen, but he was victor over the temptation; for, feeling that this was an age at which he could not conscientiously accept so responsible an appointment, he declined the living, though his father was the only one of his relations who did not importune him to accept it.

It was well for him, in many respects, besides the satisfaction of his conscience, that he thus decided; for it left him leisure to visit the English universities, and to travel in continental Europe. Whilst at the former, and when in London, he acquired the friendship of Dr. Cudworth, Dr. Pearson, Dr. Fell, Dr. Pocock, Dr. Wallis, Dr. Tillotson, Dr. Stillingfleet, Dr. Patrick, Dr. Lloyd, Dr. Whitcote, Dr. Wilkins, sir Robert Murray, and Mr. Boyle; names deservedly great in the history of our national worthies. From such men as these he gained knowledge, and in their example obtained confidence to maintain the cause of truth in all things. His acquaintance, whilst in Holland, with the chief members of the Arminians, Lutherans, Unitarians, Brownists, Anabaptists, and Papists, whose forms of worship and belief are all tolerated in that country, enlarged his mind, and saved him from being the slave of sectarian bigotry. Amongst all those families of the Christian tribe, "he found men of such real piety and virtue, that there he became fixed in that strong principle of universal charity, of thinking well of those who differed from him, and of invincible abhorrence of all persecutions on account of religious dissensions; which have often drawn upon him the bitterest censures from those who, perhaps by a narrower education, were led into a narrower way of thinking." Dr. Henry More, who bore the highest title of dignity, being called "the Intellectual Epicure," was one of his acquaintances, and, like him, paid more attention to the contents of a book than to its binding—estimated the value of a man's mind, not that

of his coat—believed in Christianity, not in its priestcraft. One of Dr. More's observations upon church ceremonies and rites made great impression upon Burnet. "None of these," said the doctor, "are bad enough to make men bad; and I am sure none of them are good enough to make men good."

Upon his return to his native country, Scotland, he was appointed to the living of Saltoun, but he declined accepting it until, after a four months' probation, he was unanimously requested to do so by his parishioners. He was then, in the year 1665, ordained priest by the bishop of Edinburgh. "During the five years he remained at Saltoun, he preached twice every Sunday, and once more during the week; he catechised three times during the same period, so as to examine every parishioner, old and young, thrice in the compass of a year: he went round his parish from house to house, instructing, reproofing, or comforting the inhabitants as occasion required; those who were sick he visited twice a day; he administered the sacrament four times in the year, personally instructing all that gave notice they intended to receive it: all that remained above his own necessary subsistence, in which he was very frugal, he distributed in charity. A particular instance of his liberality was related by a person who then lived with him, and who afterwards was with him at Salisbury. One of his parishioners was distrained upon for debt, and came to our author for some small assistance, who inquired how much would again set him up in his trade. The debtor named the sum, which a servant was immediately ordered to pay him:—'Sir,' said the domestic, 'it is all we have in the house.'—'Well, well,' replied Burnet, 'pay it to this poor man; you do not know the pleasure there is in making a man glad.' Thus, as he knew the concerns of his whole parish, treated them with tenderness and care, and set them a fair example of every article of that duty which he taught them, he soon gained their affections, not excepting the presbyterians; although he was then the only man in Scotland that made use of the prayers in the English church liturgy\*."

In 1669, the University of Glasgow elected him to be the Professor of Divinity, and the admirable Dr. Leighton succeeded in persuading him to quit his parish and accept the chair.

His son thus relates our author's exertions to fulfil the duties that now devolved upon him. "As his principal care, in this new station, was to form just and true notions in the students of divinity, he laid down a plan for that purpose, to which no other objection could be offered but that it seemed to require the labour of four or five, instead of one man; yet he never failed executing every part of it, during his residence at Glasgow. On Mondays he made each of the students, in his turn, explain a head of divinity in Latin, and propound such theses from it as he was to defend against the rest of the scholars; and this exercise concluded with our author's decision of the point in a Latin oration. On Tuesdays he gave them a prelection in the same language, wherein he purposed, in the course of eight years, to have gone through a complete system of divinity. On Wednesdays, he read them a lecture, for above an hour, by way of a critical commentary on St. Matthew's Gospel, which he finished before he quitted the chair. On Thursdays the exercise was alternate: one Thursday he expounded a Hebrew psalm, comparing it with the Septuagint, the vulgar and the English version; and the next Thursday he explained some portion of the ritual and constitution of the primitive church, making the apostolical canons his text, and reducing every article of practice under the head of one or other of those canons. On Fridays he made each of his scholars, in course, preach a short sermon upon some text he assigned; and when

\* Life of Dr. Burnet, by his son.

it was ended, he observed upon any thing that was defective or amiss, showing how the text ought to have been opened and applied. This was the labour of the mornings ; in the evenings, after prayer, he every day read them some parcel of scripture, on which he made a short discourse, and when that was over, he examined into the progress of their several studies, encouraging them to propose their difficulties to him upon the subjects they were then reading. This he performed during the whole time the schools were open, thereby answering the duty of a professor, with the assiduity of a schoolmaster ; and in order to acquit himself with credit, he was obliged to study hard from four till ten in the morning ; the rest of the day being, of necessity, allotted either to the use of his pupils, or to hearing the complaints of the clergy, who, finding he had an interest with the men in power, were not sparing in their applications to him."

Our author was thrice married. His first wife was Lady Mary Kennedy, a daughter of the earl of Cassilis ; the second a Dutch lady, of the name of Scott ; and the third, Mrs. Berkley,—all women eminent for their piety ; the third being author of " A Method of Devotion," edited after her death by Dr. Goodwyn, archbishop of Cashel. Of Dr. Burnet's conduct in the relationships of a husband, a father, a friend, and a master, we have his son's testimony :—" He was a most affectionate husband. His tender care of his first wife, during a course of sickness that lasted for many years, and his fond love to the other two, and the deep concern he expressed for their loss, were no more than their just due, from one of his humanity, gratitude, and discernment.

" His love to his children, perhaps accompanied with too much indulgence, was not exerted in laying up for them a hoard of wealth out of the revenues of the church, but in giving them a noble education, though the charge of it was wholly maintained out of his private fortune. At seven years old he entered his sons into Latin, giving each of them a distinct tutor, who had a salary of forty pounds a-year, which was never lessened on account of any prebend the bishop gave him. After five or six years had perfected his sons in the learned languages, he sent them to the University ; the eldest, a gentleman commoner, to Trinity College, in Cambridge ; the other two, commoners, to Merton College, in Oxford, where, besides the college tutor, they had a private one, to assist them in their learning, and to overlook their behaviour. In the year 1706 he sent them abroad for two years to finish their studies at Leyden, whence two of them took a tour through Germany, Switzerland, and Italy. The eldest and youngest, by their own choice, were bred to the law, and the second to divinity.

" In his friendships our author was warm, open-hearted, and constant : from those I have taken the liberty to mention, the reader will perceive that they were formed upon the most prudent choice, and I cannot find an instance of any one friend he ever lost, but by death. It is a common, perhaps a just observation, that a hearty friend is apt to be as hearty an enemy ; yet this rule did not hold in our author : for though his station, his principles, but, above all, his steadfast adherence to the Hanover succession, raised him many enemies, yet he no sooner had it in his power to have taken severe revenges on them, than he endeavoured, by the kindest good offices, to repay all their injuries, and overcome them, by returning good for evil.

" The bishop was a kind and bountiful master to his servants, whom he never changed but with regret, and through necessity. Friendly and obliging to all in employment under him, and peculiarly happy in the choice of them, especially in that of the steward to the bishopric and his courts, William Wastefield, Esq., (a gentleman of a plentiful fortune at the time of



his accepting this post,) and in that of his domestic steward, Mr. Mackney. These were both men of approved worth and integrity, firmly attached to his interests, and were treated by him, as they well deserved, with friendship and confidence."

Four times did our author refuse a bishopric. At length, when king William was established on the throne, the see of Salisbury became vacant, which Dr. Burnet solicited for his old friend, Dr. Lloyd, then bishop of St. Asaph. The king coldly answered, "I have another person in view:" and the next day Burnet found that he himself was nominated to the vacant see.

His son has dwelt at some length upon his conduct as a diocesan. "His primary visitation could only be regulated by the practice of his predecessors, who contented themselves with formal triennial visitations of their diocese, in which they used always to confirm; but when he perceived the hurry, the disorder and noise that attended these public meetings, he thought them wholly unfit for solemn acts of devotion; they seemed much more proper for the exercise of an ordinary's jurisdiction, according to law, than for the performance of the more Christian functions of a bishop. These were inconsistent with that pomp and show which, perhaps, the other required. He had always looked upon confirmation as the likeliest means of reviving a spirit of Christianity; if men could be brought to consider it, not as a mere ceremony, but as an act whereby a man became a Christian from his own choice; since upon attaining to the use of reason, he thereby renewed for himself a vow, which others had only made for him at baptism. He wrote a short directory, containing proper rules how to prepare the youth upon such occasions; this he printed, and sent copies of it, some months beforehand, to the minister of every parish where he intended to confirm. He every summer took a tour, for six weeks or two months, through some district of his bishopric, daily preaching and confirming from church to church, so as in the compass of three years (besides his former triennial visitation) to go through all the principal livings in his diocese. The clergy, near the places he passed through, generally attended on him; therefore, to avoid being burthensome in these circuits, he entertained them all at his own charge. He, likewise, for many years, entered into conferences with them upon the chief heads of divinity: one of which he usually opened at their meeting, in a discourse that lasted near two hours; and then encouraged those present to start such questions or difficulties upon it as occurred to them. Four of these discourses, against infidelity, socinianism, popery and schism, were printed in the year 1694. When our author had published his 'Exposition of the Thirty-nine Articles,' conferences of this nature seemed in some measure needless: he therefore discontinued them, in order to apply himself wholly to the work of confirmation. To be more useful in it, he disposed his annual progress, during the last ten years of his life, in the following manner:—He went through five or six of the considerable market towns every year; he fixed himself for a whole week in each of them; and though he went out every morning to preach and confirm in some parish, within seven or eight miles of the place, yet at the evening prayer, for six days together, he catechised the youth of the town, in the principal church there, expounding to them some portion of the church catechism every day, until he had gone through the whole: and, on Sunday, he confirmed those who had been thus examined and instructed, and then, inviting them all to dine with him, he gave to each a useful present of books. As the country flocked in from all parts to hear him, he was in hopes this would encourage the clergy to catechise more, and would raise an emulation in Christian knowledge among the inferior sort of people, who were ignorant to a scandal.

“ In the intervals of parliament, when the bishop was not upon this progress, his usual residence was at Salisbury ; there he preached the Thursday’s lecture, founded at St. Thomas’s church, during the whole time of his stay ; he likewise preached and confirmed every Sunday morning \*, in some church of that city, or of the neighbourhood round about it : and in the evening he had a lecture in his own chapel, to which great crowds resorted, wherein he explained some portion of scripture, out of the gospels and epistles in the liturgy. He generally came down from London, some days before Lent, on purpose to prepare the youth of the two great schools for confirmation, by catechising them every week, during that season, in the cathedral church, and instructing them in the same manner as he did those in the other towns of his diocese. And to render this task of instruction more easy to the rest of his clergy, he at length published ‘ An Explanation of the Church Catechism, in the Year 1710.’

“ The bishop’s consistorial court being much cried out against, as a grievance both to the clergy and laity, he endeavoured to reform it, and for some years went thither in person ; but though he might do some little good by this attendance, it was so little, that he at last gave it over ; for the true foundation of complaints was, the dilatory course of proceedings, and the exorbitant fees, which the bishop had no authority to correct : nay, he could not even discharge poor suitors who were oppressed there with vexatious prosecutions, any otherwise than by paying their fees himself, as he frequently did.

“ No part of the episcopal office was more strictly attended to by him than the examination of those who came for orders ; in this matter the law has left the bishop entirely at liberty to admit or refuse. He never turned them over to the care of a chaplain or archdeacon, farther than to try their skill in the learned languages. He examined them himself as to the proofs of the Christian religion, the authority of the scriptures, and the nature of the gospel covenant. If they were deficient in those, he dismissed them at once, with proper directions how to be better prepared for a second trial : but if they were competently knowing in these essential points, he went through the other heads of divinity with less strictness. When he was once satisfied with their capacity, he next directed his discourse to their conscience : he laid before them the baseness of taking up a sacred profession, merely for the lucre, or subsistence, it might afford : he gave them a distinct view of all the branches of the pastoral care (of which he published a Treatise, for the use of his diocese, in 1692) ; and endeavoured strongly to dissuade them from entering into holy orders, unless they were firmly resolved to perform all the duties of their function ; more particularly to lead such lives as might not contradict the doctrines they were to teach. A day or two before ordination, he submitted all those whom he had accepted to the examination of the dean and prebendaries, that so he might have their approbation.

“ In the admission of presentees, he could not be so strict ; the law having in some measure taken the judgment of their qualifications out of the ordinary ; yet in this he went unusual lengths, of which I shall mention one singular instance †. In the latter part of the reign of queen Anne, the lord chancellor presented the younger son of a noble family in Oxfordshire

\* He was so punctual in this, that no change of weather could ever induce him to disappoint any congregation where he was expected ; and this assiduity had well nigh cost him his life, in the year 1698. For having appointed to preach and confirm, at the parish church of Dinton, within twelve miles of Salisbury, on a pre-fixed Sunday, the rains that fell on that day, and for some days before, had so swelled a brook which he was to cross, that his coach was

overturned in the water, and his own life hardly saved by a miller, who jumped in and drew the bishop out of the water ; for which seasonable service our author paid him a yearly gratuity all the rest of his life.

† This I had from Mr. Mackney, as a fact well known to himself, and to some others now alive.—*Note by Author’s Son.*

to a parsonage within his diocese, which was in the gift of the crown. Upon trial, our author found him so ignorant, that he refused to institute him ; the ministry threatened him with a law-suit, but, finding him resolute, they at length acquiesced under the refusal. Thereupon the bishop sent for the young gentleman, and told him, ‘ That as his patrons had given up the contest, and he had no design to do him any personal injury, if he could prevail on his friends to keep the benefice vacant, he himself would undertake the charge of qualifying him for it.’ Accordingly he took such happy pains in his instruction, that, some months after, the presentee passed examination with applause, and had institution given him to the living.

“ As the pastoral care, and the admitting none to it who were not duly qualified, was always uppermost in his thoughts, he concluded that he could not render a more useful service to religion, to the church, and more especially to his own diocese, than by forming under his eye a number of divines, well instructed in all the articles of their duty. He resolved therefore, at his own charge, to maintain a small nursery of students in divinity at Salisbury, who might follow their studies till he should be able to provide for them. They were ten in number, to each of whom he allowed a salary of thirty pounds a-year : they were admitted to him once every day, to give an account of their progress in learning, to propose to him such difficulties as they met with, in the course of their reading, and to hear a lecture from him, upon some speculative or practical point of divinity, or on some part of the pastoral function, which lasted above an hour : during the bishop’s absence, the learned Dr. Whitby supplied his place, in superintending and directing their studies. By this means our author educated several young clergymen, who proved an honour to the church : but as this came to be considered as a present provision, with sure expectations of a future settlement, he was continually importuned, and sometimes imposed upon, as to the persons recommended to be of this number ; and the foundation itself was so maliciously exclaimed at, as a designed affront upon the method of education at Oxford, that he was prevailed upon, after some years, to lay it wholly aside.

“ Our author was a warm and constant enemy to pluralities of livings ; not indeed where the two churches lay near each other, and were but poorly endowed, for in that case he rather encouraged them, as knowing the ‘ labourer was worthy his hire.’ But whensoever non-residence was the consequence of a plurality, he used his utmost endeavours to prevent it, and in some cases even hazarded a suspension, rather than give institution. In his charges to the clergy he exclaimed against pluralities, as a sacrilegious robbery of the revenues of the church. A remarkable effect of his zeal upon this subject may not be improper to be here related \*. In his first visitation at Salisbury, he urged the authority of St. Bernard, who being consulted by one of his followers, whether he might not accept of two benefices, replied, ‘ And how will you be able to serve them both ? ’—‘ I intend,’ answered the priest, ‘ to officiate in one of them by a deputy.’—‘ Will your deputy be damned for you too ? ’ cried the saint. ‘ Believe me, you may serve your cure by proxy, but you must be damned in person.’ This expression so affected Mr. Kelsey, a pious and worthy clergyman there present, that he immediately resigned the rectory of Bemerton, worth two hundred pounds a-year, which he then held with one of a greater value. Nor was this Christian act of self-denial without its reward ; for though their principles in church matters were very opposite, the bishop conceived such an esteem for him, from this

\* This fact was told me by Mr. Wastefield, and is well known at Salisbury.—*Note by Author’s Son.*



action, that he not only prevailed with the chapter to elect him a canon, but likewise made him archdeacon of Sarum, and gave him one of the best prebends in the church.

“ In the point of residence, our author was so strict that he never would permit his own chaplains to attend upon him, after they were once preferred to a cure of souls, but obliged them to be constantly resident at their livings. Indeed he considered himself as under the same obligation as pastor of the whole diocese, and never would be absent from it but during his necessary attendance on parliament ; from which, as soon as the principal business of the nation was despatched, he always obtained leave to depart, in order to return to his function. And though king William, upon his going over to Ireland or Flanders, always enjoined him to attend upon queen Mary, and assist her with his faithful counsel on all emergencies, yet he would not, upon such occasions, accept of lodgings at Whitehall, but hired a house at Windsor, in order to be within his own bishopric, and yet near enough to the court to pay his duty twice a week, or oftener, if business required it.

“ No principle was more deeply rooted in him than that of toleration ; it was not confined to any sect or nation, it was as universal as Christianity itself : he exerted it in favour of a nonjuring meeting-house at Salisbury, which he obtained the royal permission to connive at ; and when the preacher there, Dr. Beach, by a seditious and treasonable sermon, had incurred the sentence of the law, our author not only saved him from punishment, but even procured his pardon, without the terms of a public recantation, upon which it was at first granted ; as may be collected from the following letters, the one from the earl of Nottingham, then secretary of state, the other from Dr. Beach himself :—

‘ MY LORD \*,

‘ *Whitehall, 29th March, 1692.*

‘ I have acquainted the queen, at the cabinet council, with what your lordship writes in behalf of Dr. Beach ; and though her majesty is always inclined to show mercy, and especially to such as your lordship recommends to her favour, yet since the crime, and the scandal of it, has been very public, her majesty thinks the acknowledgment of it should be so too, and therefore would have him make it in the church. When this is done, your lordship’s intercession will easily prevail. I am, with great respect,

‘ My lord,

‘ Your lordship’s most humble and faithful servant,

‘ NOTTINGHAM.’

‘ MY LORD †,

‘ With all due deference of honour, and with all the respectful regard that can be correspondent to the no less generous than acceptable messages which I received from your lordship by Dr. Geddes, I humbly tender this to your lordship, hoping it may be favourably received in lieu of my personal attendance, which shall be readily paid (as it is due) at any time. Dr. Geddes has delivered me the desirable tidings of your lordship’s free resolution to rescue me from the further prosecution of that unhappy verdict I labour under. It is my desire, being freed from this troublesome storm, to live in peace and quiet, without disturbance of the government in general, and of any person in particular. And I cannot but deeply resent your obliging readiness to relieve me, because it is not clogged with any bitter conditions or reserves that would lessen the favour. What your lordship has resolved is

\* The original was in the hands of the author’s son.

† Ibid.

what I humbly desire, and do not doubt but your lordship will pursue. The sooner the favour can be accomplished, and with the less noise before term, the more it will be endeared to, and challenge all gratitude from,

‘ My lord,  
Your much obliged and obedient servant,  
‘ WM. BEACH \*.’

“ Yet when this spirit of moderation, of which the nonjurors felt the good effects, was extended to the dissenters, our author’s enemies represented him as betraying the church into their hands ; though he was really taking the most effectual means to bring them over, not indeed by compulsion, but by the more Christian methods of charity and persuasion : in which he was so successful, that many dissenting families, in his diocese, were by him brought over to the communion of our church ; and of two presbyterian preachers, who were well supported when he first came to Salisbury, one was soon after obliged to quit the place, and the other but poorly subsisted in it.

“ He perceived that the chief strength of the sectaries lay in the market-towns ; the livings there were most commonly in the gift of the lord chancellor ; and as the lord Somers, during his enjoyment of the seals, left the nomination to those in the diocese of Sarum to the bishop, he endeavoured to place in them none but learned, pious, and moderate divines, as being the best qualified to prevent the growth of schism. But as the benefices were generally small, and a poor church will be too often served by as poor a clerk, our author determined to obviate this difficulty, by bestowing upon these cures the prebends in his gift as they became vacant ; and till such a vacancy happened, out of his own income he allowed the minister of every such church a pension of twenty pounds a year† : when the prebend itself was conferred upon him, the bishop insisted on his giving a bond to resign it, if ever he quitted the living. Though this matter had been laid before the most eminent prelates and divines of our church, as well as the most learned among the canonists, who highly approved the design ; yet it was so warmly opposed by some of the clergy, that, in order to raise no farther strife in the church, our author was prevailed on to relinquish this project, and give up all the bonds he had taken. But as he could not, without the tenderest concern, behold the destitute condition of these poor benefices, most of which were attended with the largest cure of souls, so his disappointment in this scheme he had formed for his own bishopric, only gave occasion to a more universal plan, which he projected for the improvement of all the small livings in England, and which was liable to no exception. This he pressed forward with so much success, that it terminated at length in an act of parliament, passed in the second year of queen Anne, ‘ for the augmentation of the maintenance of the poor clergy.’ ”

Thus fulfilling the duties of his sacred station ; actuated by such conciliating principles ; it might be expected that in his episcopal character he was at least free from the aspersions of his enemies ; but in this expectation the reader is deceived. Dr. Burnet had formed a very high and dignified opinion of the conduct that should be adopted by the head of a diocese : he comprised it in one sentence.—“ A bishop ought to be the leader of no particular class of

\* In a “ Letter to T. Burnet,” published in 1736, this transaction is stated somewhat differently ; but it on the whole confirms the fact, that the bishop interceded for

Dr. Beach, whom, as in duty bound, he had detected in seditious declarations.

† This appears from his steward’s accounts, and was confirmed to his son by Mr. Wastefield.

persons, but the head and father of the people in his diocese." In accordance with this, we have seen he was anxious for the comfort and well-being of every denomination of Christians—his creed was based on toleration, and he strove to unite all the sects within his diocese, in ascertaining the only essential object of the Gospel, viz. instructing "man to do justly; to love mercy; and to walk humbly with God." To effect this, he knew full well the most efficient means was to secure a faithful, pious, parochial clergy; to accomplish this he put aside all the considerations of interest, and turned a deaf ear to the solicitations, the compliments, and the abuse that he incurred. He is not the true friend of an establishment, that is blind to all its defects; but he who duly appreciates them, and dares to risk the obloquy of endeavouring to remove them. The decay, the corruptions, of an ecclesiastical system, above all others, will sooner or later be detected; it is connected with man's most awful interests, it is scrutinised by those of its own communion as well as by sectarians; it is wise and dignified, therefore, for it to take the lead in, rather than to be dragged to self-reformation. Burnet fully understood this; he had been born, educated, and had lived in manhood amongst the most strict dissenters from our church; he knew the plague-spots to which they had pointed the finger, and against which they had shaken the head; he was obliged to confess that the parochial clergy in his time "had less authority, and were more in contempt, than any other church in Europe; and that they would never regain the influence they had lost, until they lived better and laboured more." His reprehensions were not confined to the subordinate ministers of the establishment; he wrote against the conduct of the Scotch bishops, and he was far from praising the conduct of the whole English episcopal bench. This was sufficient to raise against him a host of assailants; and he is to this day considered by those who think that reproof springs always from hatred, and reform from a wish to destroy, as a heterodox bishop—an episcopalian by interest, and a presbyterian at heart. Those who so esteem him we may refer to his conduct as a bishop, and his successful efforts to increase the incomes of the small livings of our country. If such conduct is heterodox; if an indefatigable effort to do his duty kindly, charitably, and tolerantly, yet with dignity, deserve this exclusive epithet, we may wish without prejudice to the interests of our church, that all may similarly stray. Burnet does not stand in the rank with those brilliant characters who have enriched our theological and polemical literature—he will never be instanced among those whose text has been "Orthodoxy," and their principle "Intolerance." But he was one of those who may always be quoted as an example how the duties of a Christian bishop ought to be performed.

The best defence of Burnet's religious principles are contained in some of the opening passages of his last will. They amount to a confession of his faith,—a faith actuated by a spirit which, if it inspired all Christians, would put a final end to bigotry and uncharitableness. "I live and die," says the bishop in this his last record, "a sincere Christian, believing the truth of that gospel which for many years I have preached to others. I am a true protestant according to the church of England; full of affection and brotherly love to all who have received the reformed religion, though in some points different from our constitution. I die, as I all along lived and professed myself to be, full of charity and tenderness for those among us who yet dissent from us, and heartily pray that God would heal our breaches, and make us like-minded in all things, that so we might unite our zeal, and join our endeavours against atheism and infidelity, that have prevailed much; and against popery, the greatest enemy to our church, more to be dreaded than all other parties."

It remains to be considered how Dr. Burnet conducted himself as a politician in the



momentous constitutional changes of the period, but this will here be done very succinctly, because the following work is a narrative of his conduct, and in the notes to some of the transactions of which he is the historian, opportunities will occur of considering his public conduct in detail.

Charles the Second and the duke of York, afterwards James the Second, very frequently consulted him ; but so far from cultivating their patronage, he wrote to the first, urging him to change his course of life : and, together with Dr. Stillingfleet, had a conference with two popish priests in the presence of the duke, in order to convince him of the errors of their creed. He was the friend and associate of lord William Russell, the earl of Essex, and their party, but was never involved in any of their plots. These facts were enough to render both Charles and James his enemies, so that when the latter acquired the crown, Burnet retired to the continent ; but even here, Stuart hatred could not let him rest, for the king insisted that he should not be entertained by the court of Holland. He was even prosecuted on a charge of high treason. Of the Revolution in 1688, he was one of the most efficient promoters ; as he was in securing the succession of the house of Hanover.

In every effort of his public career, in every vote as a member of the senate, he showed himself the friend of christian charity, and the fast foe of all intolerance. He wrote and acted unflinchingly in the cause of the protestant religion, episcopacy, and civil liberty ; undeterred by the threats, uninfluenced by the proffered bribes, of dissenters and papists.

But though he so acted, and consequently co-operated in general with the Whigs, yet he was no partisan ; he never gave a vote because it agreed with those of a political cabal ; he voted for what he considered the right, he opposed that which he esteemed obnoxious, without any inquiry as to the men by whom it was supported. In sustaining his opinions ; in reprobating the conduct of those whom he thought blameworthy, he acted and he writes with ardour and energy ; his eye seems fixed upon the object, his blows are heavy both in number and effect ; and he seems determined by main force to drive in the wedge, careless who may suffer by the necessary cleavage : yet the reader seldom feels that he is needlessly violent or severe—as the conviction always accompanies his attacks, that he conscientiously thought them deserved, and that they would be productive of good. They are occasionally wrong ; they are sometimes tinted by egotism ; they are frequently biassed, but you are quite sure they were not thought so by the writer, they are fearless, candid, honest. He strips off the skin, and though he may sometimes say the carcass is black when it is fair, he at all events enables his readers to judge for themselves ; he shows you what he saw himself—he tells you what he was told—he says who said it—he warns you of his prejudices—if you are deceived, it is your own fault.

Burnet has recorded as his opinion, that “the more abstracted bishops live from the world, from courts, from cabala, and from parties, they will have the more quiet within themselves, and, in conclusion, be more respected by all ; especially, if an integrity and a just freedom appear among them in the House of Lords, where they will be much observed, and judgments will be made of them there, that will follow them home to their dioceses. Nothing will alienate the nation more from them, than their becoming tools to a court, giving up the liberties of their country, and advancing arbitrary designs.” After the opinion given in the opening of this paragraph, just and admirable as is the whole, it may be asked, how can his conduct be defended, since he was so actively employed in the political struggles of his times ? But two *improper* motives could actuate him—ambition or avarice. Now, neither of these were his failings. He did not pursue the path, which he knew would lead to the

gratification of both ; he was no flatterer, he was no party man, he declined promotion, he declared he should be ashamed to raise fortunes for his children out of the revenues of his bishopric. What then could be his motives to mingle actively in the political contests of those eventful days ? In that word "eventful," I conceive we have the clue to extricate him from even the appearance of inconsistency. Foes as well as friends agree that he had a powerful understanding ; that he was well acquainted with the history and statistics of all Europe : and was thoroughly informed in the law of nations, and the systems of government. He must then have felt himself armed, and capable for the political arena. When, therefore, the liberties of his country, its civil and religious rights, its church establishment, its protestant government, were invaded, and attempted to be subverted, he had to consider whether this was not an exception to the general rule which he entertained. He decided in the affirmative ; and those who know that the hope of restoring a popish monarch did not cease to be cherished by a state-party until long after the decease of our author, will not consider him to blame, for combining the duties of his episcopal office with those of an active guardian of the liberties and religion of his country.

Reglancing over his character as it is developed by his writings and his conduct—viewing him devoted to his duties as a parish priest, as a public professor, and as a bishop ; and finding that in private life he was exemplary as a husband, as a parent, and as a master, we need not ask what were the opinions of his contemporaries ; for if they united in vilifying him, we might without prejudice consider, that there is less danger of us being biassed judges than of them being biassed witnesses. It is impossible that a lover of truth, as Burnet unquestionably was, would write anything knowing it to be false. It is probable that as a lover of the episcopal reformed religion, and acting with a party who were similarly influenced, he may have been prejudiced, so as to be too favourable in observing their errors, and not equally perspicacious in discovering the merits of their opponents, or in finding allowances for their follies and mistakes. In such instances, the editor has endeavoured to concentrate from other authorities a correcter light. On the other hand, where the author's statements have been carelessly impugned, the editor has been as watchful to strengthen his narration by testimonials similarly concentrated.

Throughout the work, notes illustrative of the actors, and explanatory of the transactions in which they were engaged, have been added from worthy authorities ; and no efforts have been spared to make the work a full and faithful history of the Revolution and its contingent periods.

With the text no other liberty has been taken than to alter the spelling and grammatical construction according to more modern usage.

Dr. Burnet's style of writing history is characterised by its simplicity. It carries with it the conviction, that he is telling what he believed to be true—a conviction that is strengthened by his always stating his authorities, and by his speaking doubtingly when he was himself unsatisfied. Mr. Higgons objected to his work, that he relates so much upon hearsay—hearsay is a synonym for the testimony of another, and if this is excluded, Pyrrhonism must be universal. Such testimony the bishop certainly records abundantly, but he as constantly apprises his reader of the authority upon which he has to depend.

Of the language and composition of the work, it is giving it no common character to say that it is sober English. Burnet is a writer of that class so well described by bishop Taylor, when he said "their thread is not fine, but it is plain, and strong." He aims at no ornament to render his style elegant, or even smooth ; he estimates a character acutely,

and judges of transactions sensibly ; and he relates his estimate and his judgment openly and blandly. His periods are never involved, though sometimes too lengthy ; his language is never inflated ; and perhaps no English historian can be quoted who appears to have written so entirely for the purpose of enabling his readers to remember his facts. He never employs words that savour of the dictionary, when more usual words would express his meaning as well ; yet he is never insipid, though often careless in his diction. His narrative in general glides on colloquially ; and the reader has the continued satisfaction of feeling that, if he believes the incidents, he only does what was done by the relater himself\*.

It was almost a necessary consequence that Burnet's work gave birth to many and very virulent criticisms. His theme was the conduct of contemporaries, and these would generally consider that his vituperations, as well as his praises, were misplaced and of erroneous intensity, accordingly as they were applied to themselves or to their opponents. The transactions of which he was the historian were no petty court intrigues, involving merely the ephemerals who were engaged in them, and whose exposure would give pleasure to many more than it would annoy. They were transactions involving the happiness of every Englishman ; the whole nation was uproused : every man's hand grasped, or was ready to grasp, the sword in the cause of the party he conceived to hold the right. Liberty of conscience, the political rights of Englishmen, the prerogative of the crown, the limits of obedience, the resistance to executive oppression, were now to be decided ; and at such a season every Englishman must be, and was, roused to a bold declaration and active maintenance of his opinions. Of these, our author, strenuously engaged in them himself, undertook to be the critical historian, and can any one expect that, in so doing, he should be without one tint of prejudice ? If he had been so immaculate, he must have been more than man. It is true he undertook the task of his own accord, and as he himself tells us, "with a design to make both himself and his readers wiser and better, and to lay open the good and bad of all sides and parties as clearly and impartially as he himself understood it, and to represent things in their natural colours without art or disguise, without any regard to kindred or friends, to parties or interests ;" therefore we have a right to expect of him the integral truth of which he had the knowledge ; we have a right to expect that he shall use no casuistry to defend what he knew to be wrong ; no attributing of motives that he knew were not the actuating ones ; an equal freedom and candour when speaking of the living and the dead ; an obedience to the consciousness, to use our author's own words, "that a lie in history is a much greater sin than a lie in common discourse." We have a right to expect all this of Burnet, but we have no right to require that he shall never be mistaken, either in his facts or his inferences ; and are too totally of a wrong spirit to be able to judge of his merits, if we attribute all his errors to a wish to deceive. Let it be confessed that he is often mistaken, often prejudiced in his conclusions ; yet there is no well-regulated mind that has studied the history of his period will dissent from the conclusion of Dr. Routh, the editor of the Oxford edition of this work, that "his history is one which will never lose its importance, but will continue to furnish materials for other historians, and to be read by those who wish to derive their knowledge of facts from the first sources of information. The accuracy of his narration has often been attacked with vehemence, and often, it must be confessed, with success ; but not so often as to overthrow the general credit of his work. On the contrary, it has, in many

\* In the course of the preceding pages the editor has quoted from some very able "Remarks upon Bishop Burnet's History of his own Times," published in a praiseworthy quarterly journal called "The Analyst." In other instances the editor finds he has unconsciously adopted the

opinions there expressed—unconsciously, because he has for years entirely coincided with them. From the same writer we may expect for a still more extended tribute to Burnet's merit.



instances, been defended ; and time has already evinced the truth of certain records which rested on his single authority."

Occasionally he is wrong in his dates ; and his calumniators, with a logic most consonant with their other misprisions, have thence concluded that the facts connected with them are also false. Where these errors occur, those best acquainted with his work will perceive that they generally are owing to his following the consequences of an event in one connected narrative. Sometimes he is absolutely wrong ; but if he is to be dismissed without mitigation, as unworthy of any credit for these mistakes, what is to be the fate of Clarendon ? Clarendon rarely gives the chronology of his history, and repeatedly reverses the order of his events, if not designedly, always with a most happy effect, in screening the errors of those whom he wished to be in the right.

It is but fair to examine the characters and works of those who most prominently attacked our author. Mr. Bevil Higgons led the van with his "Historical and Critical Remarks on Bishop Burnet's History of his own Times." Mr. Higgons was a firm adherent to James the Second ; retired with him, and died in exile ; he must therefore have been liable to the most illiberal prejudices against our author. That he was infected with them needs no other proof than the perusal of his work. I have not a fear of contradiction when I state, that no volume in our language exists so full of unsubstantiated assertions, and groundless abuse. One extract will suffice to enable the reader to estimate the credit due to this Aristarchus. He commences by saying, that Burnet's work contains "such an uninterrupted series of untruths as will astonish ; not mistakes proceeding from negligence or human infirmity, but from a corrupt design to impose on posterity ; not from misinformation or error of judgment, but from a deliberate act of the will, what the logicians call a volition to do mischief, by not only misrepresenting matters of fact, and setting them in a false light, but positive assertions of several things which he must have known in his conscience to be absolutely contrary to truth ; so that, if we may judge by the whole tenor of the book, we may venture to affirm that nothing can equal his insincerity but his malice ; and, if possible, exceed both, but his vanity." Whatever errors Mr. Higgons succeeded in pointing out have been noticed in the notes to this edition ; their extreme deficiency in number and importance prove the virulence of the critic who could introduce them with a malevolence like the preceding.

Dr. John Cockburn was the author of "A Specimen of some free and impartial Remarks on Public Affairs and particular Persons, especially relating to Scotland, occasioned by Dr. Burnet's History of his own Times." He was an episcopalian, and, like Mr. Higgons, attached to the fortunes of James the Second, whom he followed into exile.

This gave rise to "A Vindication" of Dr. Burnet, and this Vindication called forth "A Defence of Dr. Cockburn."

An anonymous work appeared about the same time, entitled "A Review of Bishop Burnet's History of his own Times, particularly his Characters and secret Memoirs, with critical Remarks showing the Partiality, Inconsistency, and Defects of that Political History."

Mr. Lawrence Braddon in 1725 published a pamphlet entitled "Bishop Burnet's History charged with great Partiality and Misrepresentations, to make the present and future Ages believe that the earl of Essex in 1683 murdered himself." But the memory of the earl is here vindicated, and it is proved that his lordship was murdered the third morning after his confinement. Mr. Braddon in 1683 was prosecuted and fined 2,000*l.*, and ordered to give security for his good behaviour, during life, for endeavouring by lawful means to discover this murder, and he was imprisoned five years, before the Revolution discharged him. In 1688

and 89, Mr. Braddon prosecuted that inquiry before a secret committee of lords, and nearly sixty witnesses were examined, of which examinations an abstract is here published; the reasons the lords came to no resolution; and observations upon the supposed poisoning of Charles the Second."

This *condensation* of the title-page may serve as the table of its contents.

Having read the evidence given by Mr. Braddon, I cannot but conclude that there are justifications for the suspicion that the earl was murdered; but on the other hand there are many considerations which render it very improbable. The evidence on either side is too extended to be even epitomised; the reader who wishes for further information must consult the statements in Mr. Braddon's book, the evidence at his trial, &c.; and, after having done so, will probably conclude, with the editor, that the case is at present incapable of decision either way. Some further notice will be made of this affair in a future page.

The earl of Lansdowne in 1732 attacked our author's work, in "A Letter to the Author (Mr. Oldmixon) of the *Reflections, Historical and Political, &c.*" This was replied to by the bishop's son, Thomas, who was the author of the life usually prefixed to this work, and from which extracts have been given.

These, and others, only assail our author upon certain detached statements; granting the entire of which to be wrong, the work will still remain, as a whole, among the most impartial and most correct of our national histories.

# THE HISTORY OF MY OWN TIMES.

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## BOOK I.

A SUMMARY RECAPITULATION OF THE STATE OF AFFAIRS IN SCOTLAND, BOTH IN CHURCH AND STATE; FROM THE BEGINNING OF THE TROUBLES, TO THE RESTORATION OF KING CHARLES THE SECOND, 1660.



HE mischiefs of civil wars are so great and lasting, and the effects of them branching out by many accidents, that were not thought on at first, much less intended, into such mischievous consequences, that I have thought it an inquiry that might be of great use both to prince and people, to look carefully into the first beginnings and occasions of them, to observe their progress, and the errors of both hands, the provocations that were given, and the jealousies that were raised by these, together with the excesses into which both sides have run by turns. And though the wars be over long ago, yet since they have left among us so many seeds of lasting feuds and animosities, which upon every turn are apt to ferment and to break out anew, it will be as useful as well as a pleasant inquiry to look back to the first original of them, and to observe by what degrees and accidents they gathered strength, and at last broke forth into a flame.

The Reformation of Scotland was popular and parliamentary. The crown was during that time, either on the head of a queen that was absent, or of a king that was an infant. During his minority, matters were carried on by the several regents so as was most agreeable to the prevailing humour of the nation. But when king James grew to be of age, he found two parties in the kingdom. The one was, of those who wished well to the interest of the queen his mother, then a prisoner in England. These were either professed papists, or men, believed to be indifferent as to all religions. The rest were her inveterate enemies, zealous for the reformation, and fixed in a dependence on the crown of England, and in a jealousy of France. When that king saw that those who were most in his interests were likewise jealous of his authority, and apt to encroach upon it, he harkened first to the insinuations of his mother's party, who were always infusing in him a jealousy of these his friends; saying, that by ruining his mother, and setting him in her room while a year old, they had ruined monarchy, and made the crown subject and precarious; and had put him in a very unnatural posture, of being seized of his mother's crown while she was in exile and a prisoner; adding, that he was but a king in name, the power being in the hands of those, who were under the management of the queen of England.

Their insinuations would have been of less force, if the house of Guise, who were his cousin Germans, had not been engaged in great designs, of transferring the crown of France from the house of Bourbon to themselves; in order to which it was necessary to embroil England, and to draw the king of Scotland into their interests. So under the pretence of keeping up the old alliances between France and Scotland, they sent creatures of their own to



be ambassadors there; and they also sent a graceful young man, who, as he was the king's nearest kinsman by his father, was of so agreeable a temper that he became his favourite, and was made by him duke of Lenox. He was known to be a papist, though he pretended he changed his religion, and became in profession a protestant\*.

The court of England discovered all these artifices of the Guisians, who were then the most implacable enemies of the Reformation, and were managing all that train of plots against queen Elizabeth, that in conclusion proved fatal to the queen of Scots. And when the English ministers saw the inclinations of the young king lay so strongly that way, that all their applications to gain him were ineffectual, they infused such a jealousy of him into all their party in Scotland, that both nobility and clergy were much alarmed at it.

But king James learnt early that piece of king-craft, of disguising, or at least denying every thing that was observed in his behaviour that gave offence.

The main instance in which the French management appeared, was that he could not be prevailed on to enter into any treaty of marriage. It was not safe to talk of marrying a papist; and as long as the duke of Guise lived, the king, though then three and twenty, and the only person of his family, would harken to no proposition for marrying a Protestant.

But when the duke of Guise was killed at Blois, and that Henry the third was murdered soon after, so that Henry the fourth came in his room, king James was no more in a French management: so presently after he married a daughter of Denmark, and ever after that he was wholly managed by queen Elizabeth and her ministers. I have seen many letters among Walsingham's papers that discover the commerce between the house of Guise and him†: but the most valuable of these is a long paper of instructions to one Sir Richard Wignmore, a great man for hunting, and for all such sports, to which king James was out of measure addicted. The queen affronted him publicly: upon which he pretended he could live no longer in England, and, therefore, withdrew to Scotland. But all this was a contrivance of Walsingham's, who thought him a fit person to get into that king's favour: so that affront was designed to give him the more credit. He was very particularly instructed in all the proper methods to gain upon the king's confidence, and to observe and give an account of all he saw in him; which he did very faithfully. By these instructions it appears that Walsingham thought that King was either inclined to turn papist, or to be of no religion.‡ And when the court of England saw that they could not depend on him, they raised all possible opposition to him in Scotland, infusing strong jealousies into those who were enough inclined to receive them.

This is the great defect that runs through archbishop Spotiswood's history, where much of the rude opposition that king met with, particularly from the assemblies of the kirk, is set forth; but the true ground of all the jealousies they were possessed with, is suppressed by him. After his marriage they studied to remove these suspicions all that was possible; and he granted the kirk all the laws they desired, and got his temporal authority to be better established than it was before: yet as the jealousies of his fickleness in religion were never quite removed, so they gave him many new disgusts: they wrought

\* This was Farné Stuart, Lord d'Aubigné, in France. According to Robertson, he was the earliest, best beloved, and most deserving, though not most able of James's favourites. Honours were poured upon him with the accustomed rapidity and profusion. Within a few days after his first appearance at Court he was created Lord Aberbrothie, and soon were added to this the titles of Earl and Duke of Lenox, with the offices of Governor of Dumbarton Castle, Captain of the Guard, first Lord of the Bed chamber, and Lord High Chamberlain. Burnet seems to have erred when he coincided in the popular Scottish belief that the Duke died a papist. Spotiswood and Calderwood agree that on his death-bed, when the hypocrite is always detected, he declined the attendance of the papal priests, and professed that he died in the communion of the Scottish Church.

† That is, between the house of Guise and King James.

‡ Sir Roger Aston, King James's barber, was the only person employed as a messenger from that King to Queen

Elizabeth. In that capacity he only carried letters, they never trusting him to be their representative. Sir Anthony Weldon says, he was a native of England, probably of Cheshire, and an honest free-hearted man, but ill-educated. He told Weldon, that he never came to deliver letters to the Queen, without being placed in the ante-room, in such a situation that he could see her dancing to the music of a fiddle. This was done that he might tell his master how little likely he was to come to the English crown. When Sir Roger Aston came from James to the English council upon the death of the Queen, they courteously inquired how he was, to which he replied, "Even, my lords, like a poor man, who after wandering above forty years in a wilderness and barren soil, am now arrived at the Land of Promise." He was made Gentleman of the Bedchamber, Master of the Wardrobe, and was always much courted as having great influence over his master. He left his daughters very large fortunes.—*Weldon's Court of James*, p. 5.

in him a most inveterate hatred of presbytery, and of the power of the kirk; and he, fearing an opposition in his succeeding to the crown of England from the papist party, which, though it had little strength in the House of Commons, yet was very great in the House of Lords, and was very considerable in all the northern parts, and among the body of the people, employed several persons who were known to be papists though they complied outwardly. The chief of these were Elphinston, secretary of state, whom he made lord Balmerinoch; and Seaton, afterwards chancellor and earl of Dunfermline. By their means he studied to assure the papists that he would connive at them. A letter was also written to the pope by him giving assurance of this, which when it became to be published by Bellarmine, upon the prosecution of the recusants after the discovery of the gunpowder plot, Balmerinoch did affirm, that he out of zeal to the king's service got his hand to it, having put it in the bundle of papers that were signed in course, without the king's knowing any thing of it. Yet when that discovery drew no other severity but the turning him out of office, and the passing a sentence condemning him to die for it (which was presently pardoned, and he was after a short confinement restored to his liberty), all men believed that the king knew of the letter, and that the pretended confession of the secretary was only collusion, to lay the jealousies of the king's favouring popery, which still hung upon him, notwithstanding his writing on the Revelation, and his affecting to enter on all occasions into controversy, asserting in particular that the pope was antichrist.

As he took these methods to manage the popish party, he was much more careful to secure to himself the body of the English nation. Cecil, afterwards earl of Salisbury, secretary to queen Elizabeth, entered into a particular confidence with him: and this was managed by his ambassador Bruce, a younger brother of a noble family in Scotland, who carried the matter with such address and secrecy, that all the great men of England, without knowing of one another's doing it, and without the queen's suspecting any thing concerning it, signed in writing an engagement to assert and stand by the king of Scots' right of succession. This great service was rewarded by making him master of the rolls, and a peer of Scotland: and as the king did raise Cecil and his friends to the greatest posts and dignities, so he raised Bruce's family here in England.

When that king came to the crown of England, he discovered his hatred to the Scottish kirk on many occasions, in which he gratified his resentment without consulting his interests. He ought to have put his utmost strength to the finishing what he but faintly begun for the union of both kingdoms, which was lost by his unreasonable partiality, in pretending that Scotland ought to be considered in this union as the third part of the isle of Great Britain, if not more. So high a demand ruined the design. But when that failed, he should then have studied to keep the affections of that nation firm to him: and certainly he, being secure of that kingdom, might have so managed matters, as to have prevented that disjointing which happened afterwards both in his own reign, and more tragically in his son's. He thought to effect this by his profuse bounty to many of the nobility of that kingdom, and to his domestic servants: but as most of these settling in England were of no further use to him in that design, so his setting up episcopacy in Scotland, and his constant aversion to the kirk, how right soever it might be in itself, was a great error in policy; for the poorer that kingdom was, it was both the more easy to gain them, and the more dangerous to offend them. So the terror which the affections of the Scotch nation might have justly given the English was soon lost, by his engaging the whole government to support that, which was then very contrary to the bent and genius of the nation.

But though he set up bishops, he had no revenues to give them, but what he was to purchase for them. During his minority all the tithes and the church lands were vested in the crown: but this was only in order to the granting them away to the men that bore the chief sway. It is true, when he came of age, he, according to the law of Scotland, passed a general revocation of all that had been done in his infancy: and by this he could have resumed all those grants. He, and after him his son, succeeded in one part of his design: for, by act of parliament a court was erected that was to examine and sequester a third part of the tithes in every parish, and so make a competent provision out of them to those who served the cure; which had been reserved in the great alienation for the service of the

church. This was carried at first to a proportion of about thirty pounds a year, and was afterwards in his son's time raised to about fifty pounds a year; which, considering the plenty, and the way of living in that country, is a very liberal provision, and is equal in value to thrice that sum in the southern parts of England. In this he had both the clergy and the body of the people on his side. But he could not so easily provide for the bishops: they were at first forced to hold their former cures with some small addition.

But as they assumed at their first setting up, little more authority than that of a constant president of the presbyters, so they met with much rough opposition. The king intended to carry on a conformity in matters of religion with England, and he begun to buy in from the grantees many of the estates that belonged to the bishoprics. It was also enacted, that a form of prayer should be drawn for Scotland: and the king was authorised to appoint the habits in which the divine offices were to be performed. Some of the chief holy-days were ordered to be observed. The sacrament was to be received kneeling, and to be given to the sick. Confirmation was enacted: as was also the use of the cross in baptism. These things were first past in general assemblies, which were composed of bishops, and the deputies chosen by the clergy, who sat all in one house: and in it they reckoned the bishops only as single votes. Great opposition was made to all these steps: and the whole force of the government was strained to carry elections to those meetings, or to take off those who were chosen; in which it was thought that no sort of practice was omitted. It was pretended that some were frightened, and others were corrupted.

The bishops themselves did their part very ill. They generally grew haughty; they neglected their functions, and were often at court, and lost all esteem with the people. Some few that were stricter and more learned did lean so grossly to popery, that the heat and violence of the reformation became the main subject of their sermons and discourses. King James grew weary of this opposition, or was so apprehensive of the ill effects it might have, that, what through sloth or fear, and what by reason of the great disorder into which his ill conduct brought his affairs in England in his latter years, he went no further in his designs on Scotland.

He had three children. His eldest, prince Henry, was a prince of great hopes; but so very little like his father, that he was rather feared than loved by him. He was so zealous a protestant, that, when his father was entertaining propositions of marrying him to popish princesses, once to the archduchess, and at another time to a daughter of Savoy, he, in a letter that he wrote to the king on the twelfth of that October in which he died, (the original of which Sir William Cook shewed me) desired, that if his father married him that way, it might be with the youngest person of the two, of whose conversion he might have hope, and that any liberty she might be allowed for her religion might be in the privatest manner possible. Whether this aversion to popery hastened his death or not, I cannot tell. Colonel Titus assured me that he had from king Charles the first's own mouth, that he was well assured he was poisoned by the earl of Somerset's means\*. It is certain, that from the time of the gunpowder plot, king James was so struck with the terror of that danger he was then so near, that ever after he had no mind to provoke the jesuits; for he saw what they were capable of.

And since I name that conspiracy which the papists in our days have had the impudence to deny, and to pretend it was an artifice of Cecil's to engage some desperate men into a plot, which he managed so that he could discover it when he pleased, I will mention what I

\* It is certain that King James thought himself eclipsed by his son, and that the latter, as Wilson says, was "too high mounted in the people's love;" this jealousy was notorious, and ought to have prevented the king omitting any of the usual demonstrations of grief. This however was done, and by royal mandate, directions were given that "no man should appear in the court in mourning." The excuse for this was that the elector palatine was here to marry the princess Elizabeth. There is not the remotest suspicion entertainable that the king rejoiced at, much less that he accelerated, his son's death. But his favourite, the earl of Somerset, is not so free

from this ill opinion. He was subsequently proved to be guilty of another murder, from the penalty of which crime James released him and his still more guilty wife. Prince Henry had openly expressed his mortal detestation towards him. Wilson, one of the most unprejudiced of the contemporary annalists, sanctions the charge (*History of James*, 62). Weldon does the same (*Court of James*, 84, 85). It was insinuated in a sermon preached at St. James's; and hinted at by sir Francis Bacon in open court (*Wellwood's Memoirs*, by Maseres, 21). The post-mortem report of the physicians neither confirms or refutes the charge. Rapin believed it.



myself saw, and had for some time in my possession. Sir Everard Digby died for being of the conspiracy; he was the father of the famous sir Kenelm Digby. The family being ruined upon the death of sir Kenelm's son, when the executors were looking out for writings to make out the titles of the estates they were to sell, they were directed by an old servant to a cupboard that was very artificially hid, in which some papers lay that she had observed sir Kenelm was oft reading. They looking into it, found a velvet bag, within which there were two other silk bags, (so carefully were those relics kept), and there was within these a collection of all the letters that sir Everard wrote during his imprisonment. In these he expresses great trouble because he heard some of their friends blamed their undertaking; he highly magnifies it, and says if he had many lives he would willingly have sacrificed them all in carrying it on. In one paper he says, they had taken that care that there were not above two or three worth saving, to whom they had not given notice to keep out of the way; and in none of those papers does he express any sort of remorse for that which he had been engaged in, and for which he suffered.

Upon the discovery of that plot there was a general prosecution of all papists set on foot: but king James was very uneasy at it - which was much increased by what sir Dudley Carlton told him upon his return from Spain, where he had been ambassador; (which I had from the lord Hollis, who said to me that sir Dudley Carlton told it to himself, and was much troubled when he saw it had an effect contrary to what he had intended.) When he came home, he found the king at Theobald's hunting in a very careless and unguarded manner: and upon that, in order to the putting him on a more careful looking to himself, he told the king he must either give over that way of hunting, or stop another hunting that he was engaged in, which was priest hunting: for he had intelligence in Spain that the priests were comforting themselves with this, that if he went on against them they would soon get rid of him: queen Elizabeth was a woman of form, and was always so well attended, that all their plots against her failed, and were never brought to any effect: but a prince who was always in woods or forests would be easily overtaken. The king sent for him in private to inquire more particularly into this: and he saw it had made a great impression on him: but wrought otherwise than he intended. For the king, who resolved to gratify his humour in hunting, and in a careless and irregular way of life, did immediately order all that prosecution to be let fall. I have the minutes of the council books of the year 1606, which are full of orders to discharge and transport priests, sometimes ten in a day. From thence to his dying day he continued always writing and talking against popery, but acting for it. He married his only daughter to a protestant prince, one of the most zealous and sincere of them all, the elector palatine; upon which a great revolution happened in the affairs of Germany. The eldest branch of the house of Austria retained some of the impressions that their father Maximilian II. studied to infuse into them, who as he was certainly one of the best and wisest princes of these latter ages, so he was unalterably fixed in his opinion against persecution for matters of conscience: his own sentiments were so very favourable to the protestant doctrine, that he was thought inwardly theirs. His brother Charles of Gratz was on the other hand wholly managed by the jesuits, and was a zealous patron of theirs, and as zealously supported by them. Rodolph and Matthias reigned one after another, but without issue. Their brother Albert was then dying in Flanders: so Spain with the popish interest joined to advance Ferdinand, the son of Charles of Gratz: and he forced Matthias, to resign the crown of Bohemia to him, and got himself to be elected king. But his government became quickly severe: he resolved to extirpate the protestants, and began to break through the privileges that were secured to them by the laws of that kingdom.

This occasioned a general insurrection, which was followed by an assembly of the States, who together with those of Silesia, Moravia and Lusatia joined in deposing Ferdinand: and they offered their crown, first to the duke of Saxony who refused it, and then to the elector palatine who accepted of it, being encouraged to it by his two uncles, Maurice, prince of Orange and the duke of Bouillon. But he did not ask the advice of king James: he only gave him notice of it when he had accepted the offer. Here was the most probable occasion that has been offered since the reformation for its full establishment.

The English nation was much inclined to support it: and it was expected that so near a

conjunction might have prevailed on the king: but he had an invincible aversion to war: and was so possessed of the opinion of a divine right in all kings, that he could not bear that even an elective and limited king should be called in question by his subjects: so he would never acknowledge his son-in-law king, nor give him any assistance for the support of his new dignity. And though it was also reckoned on, that France would enter into any design that should bring down the house of Austria, and Spain by consequence, yet even that was diverted by the means of De Luynes; a worthless but absolute favourite, whom the archduchess Isabella, princess of the Spanish Netherlands gained, to oblige the king \* into a neutrality by giving him the richest heiress then in Flanders, the daughter of Peguiney, left to her disposal, whom he married to his brother.

Thus poor Frederick was left without any assistance. The jealousy that the Lutherans had of the ascendant that the Calvinists might gain by this accession had an unhappy share in the coldness which all the princes of that confession shewed towards him; though Saxony only declared for Ferdinand, who likewise engaged the duke of Bavaria at the head of a catholic league to maintain his interests. Maurice prince of Orange had embroiled Holland by the espousing the controversy about the decrees of God, in opposition to the Arminian party, and by erecting a new and illegal court by the authority of the States general to judge of the affairs of the province of Holland; which was plainly contrary to their constitution, by which every province is a sovereignty within itself, not at all subordinate to the States general, who act only as plenipotentiaries of the several provinces to maintain their union and their common concerns. By that assembly Barneveldt was condemned and executed: Grotius and others were condemned to perpetual imprisonment: and an assembly of the ministers of the several provinces met at Dort by the same authority, and condemned and deprived the Arminians. Maurice's enemies gave it out that he managed all this on design to make himself master of the provinces, and to put those who were like to oppose him out of the way. But though this seems a wild and groundless imagination, and not possible to be compassed, yet it is certain that he looked on Barneveldt and his party as men who were so jealous of him and of a military power, that as they had forced the truce with Spain, so they would be very unwilling to begin a new war; though the disputes about Juliers and Cleves had almost engaged them, and the truce was now near expiring; at the end of which he hoped, if delivered from the opposition that he might look for from that party, to begin the war anew. By these means there was a great fermentation over all the provinces, so that Maurice was not then in condition to give the elected king any considerable assistance; though indeed he needed it much, for his conduct was very weak. He affected the grandeur of a regal court, and the magnificence of a crowned head too early: and his queen set up some of the gay diversions that she had been accustomed to in her father's court, such as balls and masks, which very much disgusted the good Bohemians, who thought that a revolution made on the account of religion ought to have put on a greater appearance of seriousness and simplicity. These particulars I had from the children of some who belonged to that court. The elected king was quickly overthrown, and driven, not only out of those his new dominions, but likewise out of his hereditary countries: he fled to Holland, where he ended his days. I will go no farther in a matter so well known as king James's ill conduct, in the whole series of that war, and that unheard of practice of sending his only son through France into Spain, of which the relations we have are so full that I can add nothing to them.

I will only here tell some particulars with relation to Germany, that Fabricius, the wisest divine I knew among them, told me he had from Charles Lewis the elector palatine's own mouth. He said, Frederick II. who first reformed the palatinate, whose life is so curiously written by Thomas Hubert of Liege, resolved to shake off popery, and to set up Lutheranism in his country. But a counsellor of his said to him, that the Lutherans would always depend chiefly on the house of Saxony; so it would not become him who was the first elector to be only the second in the party: it was more for his dignity to become a Calvinist: he would be the head of that party: it would give him a great interest in Switzerland, and make the huguenots of France and in the Netherlands depend on him. He was by that determined

\* It is plain here must be meant by *king* the king of France.

to declare for the Helvetian confession. But upon the ruin of his family the duke of Newburgh had an interview with the elector of Brandenburg about their concerns in Juliers and Cleves: and he persuaded that elector to turn Calvinist; for since their family was fallen, nothing would more contribute to raise the other than the espousing that side, which would naturally come under his protection: but he added, that for himself he had turned papist since his little principality lay so near both Austria and Bavaria. This that elector told with a sort of pleasure, when he made it appear that other princes had no more sense of religion than he himself had.

Other circumstances concurred to make king James's reign inglorious. The States having borrowed great sums of money of queen Elizabeth, they gave her the Brill and Flushing, with some other places of less note, in pawn till the money should be repaid. Soon after his coming to the crown of England he entered into secret treaties with Spain, in order to the forcing the States to a peace: one article was, that if they were obstinate he would deliver these places to the Spaniards. When the truce was made, Barnevelt, though he had promoted it, yet knowing the secret article, he saw they were very unsafe while the keys of Holland and Zealand were in the hands of a prince, who might perhaps sell them, or make an ill use of them: so he persuaded the States to redeem the mortgage by repaying the money that England had lent, for which these places were put into their hands: and he came over himself to treat about it. King James, who was profuse upon his favourites and servants, was delighted with the prospect of so much money; and immediately, without calling a parliament to advise with them about it, he did yield to the proposition. So the money was paid, and the places were evacuated. But his profuseness drew two other things upon him, which broke the whole authority of the crown, and the dependence of the nation upon it. The crown had a great estate over all England, which was all let out upon leases for years, and a small rent was reserved. So most of the great families of the nation were the tenants of the crown, and a great many boroughs were depending on the estates so held. The renewal of these leases brought in fines to the crown, and to the great officers: besides that the fear of being denied a renewal kept all in a dependence on the crown. King James obtained of his parliament a power of granting, that is selling, those estates for ever, with the reserve of the old quit-rent: and all the money raised by this was profusely squandered away. Another main part of the regal authority was the wards, which anciently the crown took into its own management. Our kings were, according to the first institution, the guardians of the wards. They bred them up in their courts, and disposed of them in marriage as they thought fit. Afterwards they compounded, or forgave them, or gave them to some branches of the family, or to provide for the younger children. But they proceeded in this very gently: and the chief care after the reformation was to breed the wards protestants. Still all were under a great dependence by this means. Much money was not raised this way; but families were often at mercy, and were used according to their behaviour. King James granted these generally to his servants and favourites; and they made the most of them. So that what was before a dependence on the crown, and was moderately compounded for, became then a most exacting oppression, by which several families were ruined. This went on in king Charles's time in the same method. Our kings thought they gave little when they disposed of a ward, because they made little of them. All this raised such an outcry, that Mr. Pierpoint at the restoration gathered so many instances of these, and represented them so effectually to that house of commons that called home king Charles the second, that he persuaded them to redeem themselves by an offer of excise, which indeed produces a much greater revenue, but took away the dependence in which all families were held by the dread of leaving their heirs exposed to so great a danger. Pierpoint valued himself to me upon this service he did his country, at a time when things were so little considered on either hand, that the court did not seem to apprehend the value of what they parted with, nor the country of what they purchased\*.

\* Mr. Pierpoint seems to have arrogated too much to himself, when he considered he was the means of obtaining the abolition of the Court of Wards. From the journals of the house of commons, it appears his part of

the transaction was only that of a general supporter of the abolition. He was not even the originator of the proposition that the revenue to the crown in exchange for it should be secured by an excise duty upon ale, &c. Sir



Besides these public actings king James suffered much in the opinion of all people by his strange way of using one of the greatest men of that age, sir Walter Raleigh; against whom the proceedings were at first much censured, but the last part of them was thought both barbarous and illegal. The whole business of the earl of Somerset's rise and fall, of the countess of Essex and Overbury, the putting the inferior persons to death for that infamous poisoning, and the sparing the principals, both the earl of Somerset and his lady, were so odious and inhuman, that it quite sunk the reputation of a reign, that on many other accounts was already much exposed to contempt and censure; which was the more sensible, because it succeeded such a glorious and happy one. King James in the end of his reign was become weary of the duke of Buckingham, who treated him with such an air of insolent contempt, that he seemed at last resolved to throw him off, he could not think of taking the load of government on himself, and so resolved to bring the earl of Somerset again into favour, as that lord reported it to some from whom I had it. He met with him in the night in the gardens at Theobalds; two bed-chamber men were only in the secret: the king embraced him tenderly and with many tears: the earl of Somerset believed the secret was not well kept; for soon after the king was taken ill with some fits of an ague and died of it. My father was then in London, and did very much suspect an ill practice in the matter; but perhaps doctor Craig, my mother's uncle, who was one of the king's physicians, possessed him with these apprehensions; for he was disgraced for saying he believed that the king was poisoned\*. It is certain no king could die less lamented or less esteemed than he was. This sunk the credit of the bishops of Scotland, who as they were his creatures, so they were obliged to a great dependence on him, and were thought guilty of gross and abject flattery towards him. His reign in England was a continued course of mean practices. The first condemnation of sir Walter Raleigh was very black; but the executing him after so many years, and after an employment that had been given him, was counted a barbarous sacrificing him to the Spaniards. The rise and fall of the earl of Somerset, and the swift progress of the duke of Buckingham's greatness, were things that exposed him to the censure of all the world. I have seen the originals of about twenty letters he wrote to the prince and that duke while they were in Spain, which shew a meanness as well as a fondness that render him very contemptible†. The great figure the crown of England had made in queen Elizabeth's time, who had rendered herself the arbiter of christendom, and was the wonder of the age, was so much eclipsed, if not quite darkened during this reign, that king James was become the scorn of the age; and while hungry writers flattered him out of all measure at home, he was despised by all abroad as a pedant without true judgment, courage, or steadiness, subject to his favourites, and delivered up to the counsels or rather the corruption of Spain.

Henry Cholmley proposed the abolition, (Nov. 19, 1660) and Sir Samuel Jones moved that the recompensing revenue be raised by the excise. The grievance had been long felt, and as early as 1620 the abolition had been proposed, though without success. Sir Edward Coke, after detailing the proposition and its failure, adds, "We thought good to remember this, hoping (hope is the dream of a waking man) that so good a motion will some time (by the grace of God) by authority of parliament, one way or other take effect and be established." (4th Institute, 203.) His hope was accomplished during the interregnum, and even before, in the year 1645, during the contest between Charles and the parliament. These being considered illegal transactions, the act introduced by sir H. Cholmley, (12 Car. 2, c. 24,) completed the abolition.

\* A curious tract was published in 1642, entitled "Strange Apparitions, &c.," pretending to be a conversation between the ghosts of king James, the duke of Buckingham, the marquis of Hamilton, and Dr. George Eglisam, the king's physician. In this the duke is openly charged with murdering the king, and that Dr. Eglisam had accused him of the crime to king Charles and the parliament, but was, in consequence, obliged to fly into Holland, where he was murdered. He charged

the duke and his mother with giving the king a white powder, and applying a plaister to his breast which caused his death. Sir A. Weldon, in his "Court and Character of king James," says that the king on his death-bed declared that it was the plaister and powder had injured him. Dr. Goodman in his "Aulicus Coquinaris," though he denies that the plaister was poisoned, mentions nothing concerning the powder, and confesses that the physicians Dr. Lister, Dr. Chambers, and others, "were much offended that any one durst assume such boldness without their consents," as to apply a plaister, and immediately removed it. Dr. Ramsay is said to have openly accused the duke of poisoning the king, before a committee of the house of commons (sir E. Peyton's "Divine Catastrophe of the House of Stuart.") These were all contemporary and variously biassed authorities; as such they are none of them entitled to implicit confidence. Wilson, also a contemporary and more unprejudiced, did not know to which opinion to incline.—*Memoirs of Selden and his Times*, p. 25.

† Many of these addressed to "Baby Charles," and his "Dog Steenie," are among the MSS. in the British Museum. The following note to the king will be sufficient to show the ridiculous familiarity they practised towards each other:—

The puritans gained credit, as the king and the bishops lost it. They put on external appearances of great strictness and gravity: they took more pains in their parishes than those who adhered to the bishops, and were often preaching against the vices of the court; for which they were sometimes punished, though very gently, which raised their reputation, and drew presents to them that made up their sufferings abundantly. They begun some particular methods of getting their people to meet privately with them: and in these meetings they gave great vent to extemporary prayer, which was looked on as a sort of inspiration: and by these means they grew very popular. They were very factious and insolent; and both in their sermons and prayers were always mixing severe reflections on their enemies. Some of them boldly gave out very many predictions; particularly two of them who were held prophets, Davison and Bruce. Some of the things that they foretold came to pass: but my father, who knew them both, told me of many of their predictions, that he himself heard them throw out, which had no effect: but all these were forgotten, and if some more probable guessings which they delivered as prophecies were accomplished, these were much magnified. They were very spiteful against all those who differed from them; and were wanting in no methods that could procure them either good usage, or good presents. Of this my father had great occasion to see many instances: for my great grand-mother, who was a very rich woman, and much engaged to them, was most obsequiously courted by them. Bruce lived concealed in her house for some years; and they all found such advantages in their submissions to her, that she was counted for many years the chief support of the party; her name was Rachel Arnot. She was daughter to sir John Arnot, a man in great favour, and lord treasurer's deputy. Her husband, Johnston, was the greatest merchant at that time; and left her an estate of 2000 pounds a year, to be disposed of among his children as she pleased: and my father marrying her eldest grand-child, saw a great way into all the methods of the puritans.

Gowry's conspiracy was by them charged on the king, as a contrivance of his to get rid of that earl, who was then held in great esteem; but my father, who had taken great pains to inquire into all the particulars of that matter, did always believe it was a real conspiracy. One thing, which none of the historians have taken any notice of, and might have induced the earl of Gowry to have wished to put king James out of the way, but in such a disguised manner that he should seem rather to have escaped out of a snare himself than to have laid one for the king, was this: upon the king's death he stood next to the succession to the crown of England; for king Henry the seventh's daughter that was married to king James the fourth did after his death marry Douglas, earl of Angus: but they could not agree: so a pre-contract was proved against him: upon which, by a sentence from Rome, the marriage was voided, with a clause in favour of the issue since born under a marriage *de facto* and *bona fide*. Lady Margaret Douglas was the child so provided for. I did peruse the original bull confirming the divorce. After that the queen dowager married one Francis Steward, and had by him a son, made lord Methuen by king James the fifth. In the patent he is called *Frater noster uterinus*. He had only a daughter, who was mother, or grandmother, to the earl of Gowry: so that by this he might be glad to put the king out of the way, so that he might stand next to the succession of the crown of England. He had a brother then a child, who when he grew up and found he could not carry the name of Ruthven, which, by an act of parliament made after this conspiracy, none might carry, he went and lived beyond sea; and it was given out that he had the philosopher's stone. He had two sons who died without issue, and one daughter married to sir Anthony Vandyke, the famous picture drawer, whose children, according to his pedigree, stood very

"DEAR DAD AND GOSSIP,

"The chiefest advertisement of all we omitted in our other letter, which was to let you know how we like your daughter, his wife, and my lady mistress. Without flattery, I think there is not a sweeter creature in the world. Baby Charles himself, is so touched at the heart, that he confesses all he ever yet saw is nothing to her, and swears that if he want her, there shall be blows. I shall lose no time in hastening the conjunction, in which I shall please him, her, you, and myself most of all, in thereby getting liberty to make the speedier haste to lay myself at

your feet, for never none longed more to be in the arms of his mistress. So, craving your blessing, I end,

"Your humble slave and dog,

"STEENIE.

"I have inclosed two or three letters of the Conde of Olivares to Gundemar, whereby you will judge of his kind carefulness of your son."

(Endorsed,,

"For the best of Masters."

This was written from Madrid, in the year 1623. It is preserved among the Harleian Manuscripts.

near to the succession of the crown. It was not easy to persuade the nation of the truth of that conspiracy; for eight years before that time king James, on a secret jealousy of the earl of Murray, then esteemed the handsomest man of Scotland, set on the marquis of Huntly, who was his mortal enemy, to murder him; and by a writing all in his own hand he promised to save him harmless for it. He set the house in which he was on fire: and the earl flying away was followed and murdered, and Huntley sent Gordon of Buckey with the news to the King; soon after, all who were concerned in that vile fact were pardoned, which laid the king open to much censure. And this made the matter of Gowry to be the less believed.

When king Charles succeeded to the crown he was at first thought favourable to the puritans; for his tutor and all his court were of that way; and Dr. Preston, then the head of the party, came up in the coach from Theobalds to London with the king and the duke of Buckingham; which being against the rules of the court gave great offence; but it was said, the king was so overcharged with grief, that he wanted the comfort of so wise and so great a man. It was also given out that the duke of Buckingham offered Dr. Preston the great seal; but he was wiser than to accept of it\*. I will go no further into the beginning of that reign with relation to English affairs, which are fully opened by others. Only I will tell one particular which I had from the earl of Lothian, who was bred up in the court, and whose father, the earl of Ancrum, was gentleman of the bedchamber, though himself was ever much hated by the king. He told me, that king Charles was much offended with king James's light and familiar way, which was the effect of hunting and drinking, on which occasions he was very apt to forget his dignity, and to break out into great indecencies; on the other hand the solemn gravity of the court of Spain was more suited to his own temper, which was sullen even to a moroseness. This led him to a grave reserved deportment, in which he forgot the civilities and the affability that the nation naturally loved, to which they had been long accustomed; nor did he in his outward deportment take any pains to oblige any persons whatsoever; so far from that, he had such an ungracious way of shewing favour, that the manner of bestowing it was almost as mortifying as the favour was obliging. I turn now to the affairs of Scotland, which are but little known.

The king resolved to carry on two designs that his father had set on foot, but had let the prosecution of them fall in the last years of his reign. The first of these was about the recovery of the tithes and church lands; he resolved to prosecute his father's revocation, and to void all the grants made in his minority, and to create titular abbots as lords of

\* When the duke of Buckingham found his influence with king James declining, he endeavoured to strengthen his interest and power by courting the anti-episcopalians. To effect this he actually made overtures to them for a union of their efforts to subvert the church. Dr. Preston held conferences with him upon the subject, and Hacket has related the arguments he employed to confirm the duke in his purposes. The lord keeper Williams had imperfect information of these projects, and addressed himself seriously to thwart them. He had an interview with Dr. Preston, and tried, though in vain, to discover the whole of the designs. When all other addresses had failed, he attempted to overcome him by an appeal to his interest and ambition, offering to resign the deanery of Westminster in his favour, but, as Mr. Hacket observes, "the wily doctor did not believe him: for he came to cheat, not to be cheated; so they parted unkindly." The lord keeper then had a conference with the duke, and the latter did not deny that he entertained the project of establishing a presbyterial form of church government, adding, "I know not how you bishops may struggle, but am much deluded if a great part of the knights and burgesses would not be glad to see the alteration." But the lord keeper having a list of the house in his pocket, went through it *seriatim*, and apparently convinced him of his error in this respect; as well as diverted him from his anti-episcopal design. Yet the duke continued the patron of Dr. Preston, and even had him, as stated in the text, closely intimate with himself, and the next monarch,

Charles the first. There is reason to think that Buckingham was endeavouring to overreach the presbyterians, by this apparent leaning to their leader, thus obtaining their support whilst it was desirable, and then to discard them. Dr. Preston, however, was as subtle a politician as the duke, and only appeared to be deceived for the purpose of advancing the interests of his sect. He used to acknowledge to his friends, that he used the duke as a tool, and found him to be as vile and profligate as any man could be.

Dr. Preston was a native of Northamptonshire. He became successively D. D., fellow of Queen's College, Cambridge, chaplain to prince Charles, and master of Emanuel College Cambridge. He was born in 1587, and died in 1628. He was highly celebrated as a logician; and this endowment first obtained him the patronage of king James. In the course of one of his public disputations, he wittily observed, that a hound made syllogisms. "An enthymeme, as he said, is a lawful syllogism, but dogs can make them. A hound has the major proposition in his mind. The hare is gone either this, or that way; and smells out the minor with his nose, viz., she is not gone that way; and follows the conclusion.—Ergo, this way—with open mouth." The king who delighted both in logic and hunting was highly pleased with this illustration; yet the conceit was not new, for it was borrowed from Montaigne, *Hacket's Life of L. K. Williams*, pt. i. 204—*Lansdowne MSS.* 932, 88—*D'Israeli's Curios. of Literature*, second series, iii. 347.—*Clarke's Lives*.—*Fuller's Worthies*, &c.



parliament, but lords, as bishops, only for life. And that the two great families of Hamilton and Lenox might be good examples to the rest of the nation, he by a secret purchase, and with English money, bought the abbey of Aberbroth of the former, and the lordship of Glasgow of the latter, and gave these to the two archbishoprics. These lords made a shew of zeal after a good bargain, and surrendered them to the king. He also purchased several estates of less value to the several sees ; and all men who pretended to favour at court, offered their church lands to sale at a low rate.

In the third year of his reign the earl of Nithisdale, then believed a papist, which he afterwards professed, having married a niece of the duke of Buckingham's, was sent down with a power to take the surrender of all church lands, and to assure all who did readily surrender, that the king would take it kindly, and use them all very well, but that he would proceed with all rigour against those who would not submit their rights to his disposal. Upon his coming down, those who were most concerned in those grants met at Edinburgh, and agreed, that when they were called together, if no other argument did prevail to make the earl of Nithisdale desist, they would fall upon him and all his party in the old Scottish manner, and knock them on the head. Primrose told me one of these lords, Belhaven of the name of Douglas, who was blind, bid them set him by one of the party, and he would make sure of one. So he was set next the earl of Dumfries : he was all the while holding him fast : and when the other asked him what he meant by that, he said, ever since the blindness was come on him he was in such fear of falling, that he could not help the holding fast to those who were next to him : he had all the while a poniard in his other hand, with which he had certainly stabbed Dumfries if any disturbance had happened. The appearance at that time was so great, and so much heat was raised upon it, that the earl of Nithisdale would not open all his instructions, but came back to court, looking on the service as desperate : so a stop was put to it for some time.

In the year 1633, the king came down in person to be crowned. In some conventions of the states that had been held before that, all the money that the king had asked was given ; and some petitions were offered setting forth grievances, which those whom the king employed had assured them should be redressed ; but nothing was done, and all was put off till the king should come down in person. His entry and coronation were managed with such magnificence, that the country suffered much by it, all was entertainment and show. When the parliament sat, the lords of the articles prepared an act declaring the royal prerogative, as it had been asserted by law, in the year 1606 ; to which an addition was made of another act passed in the year 1609, by which king James was empowered to prescribe apparel to churchmen with their own consent. This was a personal thing to king James, in consideration of his great learning and experience, of which he had made no use during the rest of his reign. And in the year 1617, when he held a parliament there in person, an act was prepared by the lords of the articles, authorising all things that should thereafter be determined in ecclesiastical affairs by his majesty, with consent of a competent number of the clergy, to have the strength and power of a law. But the king either apprehended that great opposition would be made to the passing the act, or that great trouble would follow on the execution of it. So when the rubric of the act was read, he ordered it to be suppressed, though passed in the articles. In this act of 1633 these acts of 1606 and 1609 were drawn into one. To this great opposition was made by the earl of Rothes, who desired the acts might be divided. But the king said it was now one act, and he must either vote for it, or against it. He said he was for the prerogative as much as any man, but that addition was contrary to the liberties of the church, and he thought no determination ought to be made in such matters without the consent of the clergy, at least without their being heard. The king bid him argue no more, but give his vote ; so he voted not content. Some few lords offered to argue, but the king stopped them, and commanded them to vote. Almost the whole commons voted in the negative ; so that the act was indeed rejected by the majority, which the king knew ; for he had called for a list of the numbers, and with his own pen had marked every man's vote : yet the clerk of register, who gathers and declares the votes, said it was carried in the affirmative. The earl of Rothes affirmed it went for the negative : so the king said, the clerk of register's declaration must be held good, unless the earl of Rothes would go to the

bar and accuse him of falsifying the record of parliament, which was capital: and in that case, if he should fail in the proof, he was liable to the same punishment: so he would not venture on that. Thus the act was published, though in truth it was rejected. The king expressed a high displeasure at all who had concurred in that opposition. Upon that the lords had many meetings. They reckoned that now all their liberties were gone, and a parliament was but a piece of pageantry, if the clerk of register might declare as he pleased how the vote went, and that no scrutiny were allowed. Upon that Hague the king's solicitor, a zealous man of that party, drew a petition to be signed by the lords, and to be offered by them to the king, setting forth all their grievances and praying redress: he shewed this to some of them, and among others to the lord Balmerinoch, who liked the main of it, but was for altering it in some particulars: he spoke of it to the earl of Rothes, in the presence of the earl of Cassilis and some others: none of them approved of it. The earl of Rothes carried it to the king; and told him, that there was a design to offer a petition in order to the explaining and justifying their proceedings, and that he had a copy to shew him: but the king would not look upon it, and ordered him to put a stop to it, for he would receive no such petition. The earl of Rothes told this to Balmerinoch: so the thing was laid aside; only he kept a copy of it, and interlined it in some places with his own hand. While the king was in Scotland he erected a new bishopric at Edinburgh, and made one Forbes bishop, who was a very learned and pious man; he had a strange faculty of preaching five or six hours at a time: his way of life and devotion was thought monastic, and his learning lay in antiquity; he studied to be a reconciler between papists and protestants, leaning rather to the first, as appears by his *Considerationes Modestæ*. He was a very simple man, and knew little of the world; so he fell into several errors in conduct, but died soon after suspected of popery, which suspicion was increased by his son's turning papist. The king left Scotland much discontented, but resolved to prosecute the design of recovering the church lands: and sir Thomas Hope, a subtle lawyer, who was believed to understand that matter beyond all the men of his profession, though in all respects he was a zealous puritan, was made the king's advocate, upon his undertaking to bring all the church lands back to the crown; yet he proceeded in that matter so slowly, that it was believed he acted in concert with the party that opposed it\*. Enough was already done to alarm all that were possessed of church lands; and they to engage the whole country in their quarrel took care to infuse it into all people, but chiefly into the preachers, that all was done to make way for popery. The winter after the king was in Scotland, Balmerinoch was thinking how to make the petition more acceptable: and in order to that, he shewed it to one Dunmoor, a lawyer in whom he trusted, and desired his opinion of it, and suffered him to carry it home with him, but charged him to shew it to no person, and to take no copy of it. He shewed it, under a promise of secrecy, to one Hay of Naughton, and told him from whom he had it. Hay looking on the paper and seeing it a matter of some consequence, carried it to Spotiswood, archbishop of St. Andrew's; who, apprehending it was going about for hands, was alarmed at it, and went immediately to London, beginning his journey as he often did on a Sunday, which was a very odious thing in that country. There are laws in Scotland loosely worded, that make it capital to spread lies of the king or his government, or to alienate his subjects from him. It was also made capital to know of any that do it, and not discover them: but this last was never once put in execution. The petition was thought within this act: so an order was sent down for committing lord Balmerinoch. The reason of it being for some time kept secret, it was thought, was because of his vote in parliament. But after some consultation, a special commission was sent down

\* The father of sir Thomas Hope was an Edinburgh merchant, trading extensively with Holland, in which country he subsequently resided, and married a lady, named Jacqueline de Tott. Another son is believed to have been the founder of the celebrated mercantile establishment of the Hopes at Amsterdam.

The appointment of sir Thomas, to be the king's advocate, and his promotion to the dignity of a baronetcy took place in 1627. He certainly was attached to the cove-

nanters, who consulted him unreservedly. In despite of this, either to gain him as a friend, or to render him suspected by the party to which he adhered, the king appointed him a commissioner to the general assembly in 1643.

He was an able lawyer, and his works, relative to the laws of Scotland, are still valued. His youngest son, James, was ancestor of the Hopetoun family. He died in the year 1646.—*Gen. Biograph. Dict. ac.*

for the trial. In Scotland there is a court for the trial of peers, distinct from the jury, who are to be fifteen, and the majority determine the verdict : the fact being only referred to the jury, or assize as they call it, the law is judged by the court : and if the majority of the jury are peers the rest may be gentlemen. At this time a private gentleman of the name of Stewart was become so considerable that he was raised by several degrees to be made earl of Traquair and lord treasurer, and was in great favour ; but suffered afterwards such a reverse of fortune, that I saw him so low that he wanted bread, and was forced to beg ; and it was believed died of hunger. He was a man of great parts, but of too much craft : he was thought the capablest man for business, and the best speaker in that kingdom \*. So he was charged with the care of lord Balmerinoch's trial : but when the ground of the prosecution was known, Hague, who drew the petition, wrote a letter to the lord Balmerinoch, in which he owned that he drew the petition without any direction or assistance from him : and upon that he went over to Holland. The court was created by a special commission ; in the naming of judges there appeared too visibly a design to have that lord's life, for they were either very weak or very poor. Much pains were taken to have a jury ; in which so great partiality appeared, that when the lord Balmerinoch was upon his challenges, and excepted to the earl of Dumfries, for his having said that if he were of his jury, though he were as innocent as St. Paul, he would find him guilty ; some of the judges said, that was only a rash word : yet the king's advocate allowed the challenge, if proved, which was done. The next called on was the earl of Lauderdale, father to the duke of that title : with him the lord Balmerinoch had been long in enmity : yet, instead of challenging him, he said he was *omni exceptione major*. It was long considered upon what the prisoner should be tried : for his hand interlining the paper, which did plainly soften it, was not thought evidence that he drew it, or that he was accessory to it : and they had no other proof against him. Nor could they from that infer that he was the divulger, since it did appear it was only shewed by him to a lawyer for counsel. So it was settled on to insist on this, that the paper tended to alienate the subjects from their duty to the king, and that he, knowing who was the author of it, did not discover him ; which by law was capital. The court judged the paper to be seditious, and to be a lie of the king and his government : the other point was clear, that he knowing the author did not discover him. He pleaded for himself, that the statute for discovery had never been put in execution ; that it could never be meant but of matters that were notoriously seditious ; that till the court judged so he did not take this paper to be of that nature, but considered it as a paper full of duty, designed to set himself and some others right in the king's opinion ; that upon the first sight of it, though he approved of the main, yet he disliked some expressions in it ; that he communicated the matter to the earl of Rothes, who told the king of the design ; and that, upon the king's saying he would receive no such petition, it was quite laid aside : this was attested by the earl of Rothes. A long debate had been much insisted on, whether the earl of Traquair or the king's ministers might be of the jury or not : but the court gave it in their favour. When the jury was shut up, Gordon of Buckey, who was one of them, being then very ancient, who forty-three years before had assisted in the murder of the earl of Murray, and was thought upon this occasion a sure man, spoke first of all, excusing his presumption in being the first that broke the silence. He desired they would all consider what they were about : it was a matter of blood, and they would feel the weight of that as long as they lived : he had in his youth

\* No man went through greater, or more undeserved vicissitudes than this persecuted nobleman. Naturally talented, and liberally educated, he appeared to such advantage as a member of the Scotch parliament, that, although a young man, James the first knighted him, and added him to his privy council. With Charles the first he was as great a favourite, as he was with James, and as a mark of his esteem in 1633, from being sir John Stewart, he created him lord Stewart of Traquair, lord Linton and Coverston, and finally earl of Traquair. In 1642 he was impeached, by the Scotch parliament, of treason, but as the king knew that his crime was a firm adherence to the interests of the monarchy, he granted the earl a pardon, recording in it his opinion of the earl's great abilities, and

perfect integrity. When the king was a prisoner in the Isle of Wight the earl levied a regiment of horse at his own expense, and with his son, lord Linton, fought at their head in the battle of Preston. They were here both taken prisoners. For four years he was confined in Warwick Castle, by order of the English parliament. It would have been a mercy to retain him in prison, for when he was liberated, being deprived of all his property, he lingered a few years, and then died in extreme misery, if not of actual hunger. This was in the year 1659, when he was sixty years old. As a statesman, sir Philip Warwick, who knew him well, thinks he was too changeable.—*Warwick's Memoirs*, 137.



been drawn in to shed blood, for which he had the king's pardon, but it cost him more to obtain God's pardon : it had given him many sorrowful hours both day and night : and as he spoke this, the tears ran over his face. This struck a damp on them all. But the earl of Traquair took up the argument ; and said, they had it not before them whether the law was a hard law or not, nor had they the nature of the paper before them, which was judged by the court to be leasing-making ; they were only to consider, whether the prisoner had discovered the contriver of the paper or not. Upon this the earl of Lauderdale took up the argument against him, and urged, that severe laws never executed were looked on as made only to terrify people, that though after the court's having judged the paper to be seditious it would be capital to conceal the author, yet before such judgment, the thing could not be thought so evident that he was bound to reveal it. Upon these heads those lords argued the matter many hours : but when it went to the vote seven acquitted, but eight cast him : so sentence was given. Upon this many meetings were held : and it was resolved either to force the prison to set him at liberty, or if that failed, to revenge his death both on the court and on the eight jurors ; some undertaking to kill them, and others to burn their houses. When the earl of Traquair understood this, he went to court, and told the king that the lord Balmerinock's life was in his hands, but the execution was in no sort advisable : so he procured his pardon, for which the party was often reproached with his ingratitude : but he thought he had been much wronged in the prosecution, and so little regarded in the pardon, that he never looked on himself as under any obligation on that account. My father knew the whole steps of this matter, having been the earl of Lauderdale's most particular friend : he often told me, that the ruin of the king's affairs in Scotland was in a great measure owing to that prosecution ; and he carefully preserved the petition itself, and the papers relating to the trial ; of which I never saw any copy besides those which I have. And that raised in me a desire of seeing the whole record, which was copied for me, and is now in my hands. It is a little volume, and contains, according to the Scotch method, the whole abstract of all the pleadings, and all the evidence that was given ; and is indeed a very noble piece, full of curious matter\*.

When the design of recovering the tithes went on, though but slowly, another design made a greater progress. The bishops of Scotland fell on the framing of a liturgy and a body of canons for the worship and government of that church. These were never examined in any public assembly of the clergy : all was managed by three or four aspiring bishops Maxwell†, Sidserfe, Whitford, and Bannatine, the bishops of Ross, Galloway, Dunblane, and Aberdeen. Maxwell did also accuse the earl of Traquair, as cold in the king's service, and as managing the treasury deceitfully ; and he was aspiring to that office. Spotiswood, archbishop of St. Andrew's, then lord chancellor, was a prudent and mild man, but of no great decency in his course of life. The earl of Traquair, seeing himself so pushed at, was more earnest than the bishops themselves in promoting the new model of worship and discipline ; and by that he recovered the ground he had lost with the king, and with archbishop Laud : he also assisted the bishops in obtaining commissions, subaltern to the high-commission court, in their several dioceses, which were thought little different from the courts of inquisition. Sidserfe set this up in Galloway : and a complaint being made in council of his proceedings, he gave the earl of Argyle the lie in full council. He was after all a very learned and good man, but strangely heated in those matters. And they all were so lifted up with the king's zeal, and so encouraged by archbishop Laud, that they lost all temper ; of which I knew Sidserfe made great acknowledgments in his old age.

\* The whole of the proceedings and pleadings are in Rushworth's Collections, ii. 281, and in the State Trials, i

† Dr. Maxwell, Bishop of Ross, was the chief promoter of this tyrannical measure. He was one of those insignificant characters who, like gnats, would never be noticed but for the mischief they occasion. It had been wilfully represented by him, and some of his brethren who were equally base, that the nation was in favour of a Liturgy. Nothing could be more contrary to the fact,

and it is demonstrative, how careless and incapable were the ministers of Charles, that they did not inquire more fully before they entered upon so important a measure. Even Clarendon reprobates their conduct ; and acknowledges that some of the bishops were unacquainted with the Liturgy and in composing it the Scotch clergymen were not at all consulted. (Hist. of Rebellion, i. 80, fol. ed.) The same authority, and our author in his Memoirs of the Dukes of Hamilton, relates fully with what determined opposition it was received.

But the unaccountable part of the king's proceedings was, that all this while, when he was endeavouring to recover so great a part of the property of Scotland as the church lands and tithes were, from men that were not like to part with them willingly, and was going to change the whole constitution of that church and kingdom, he raised no force to maintain what he was about to do, but trusted the whole management to the civil execution. By this all people saw the weakness of the government, at the same time that they complained of its rigour. All that came down from court complained of the king's inexorable stiffness, and of the progress popery was making, of the queen's power with the king, of the favour shewed the pope's nuncios, and of the many proselytes who were daily falling off to the church of Rome. The earl of Traquair infused this more effectually, though more covertly, than any other man could do: and when the country formed the first opposition they made to the king's proclamations, and protested against them, he drew the first protestation, as Primrose assured me; though he designed no more than to put a stop to the credit the bishops had, and to the fury of their proceedings: but the matter went much farther than he seemed to intend: for he himself was fatally caught in the snare laid for others. A troop of horse and a regiment of foot had prevented all that followed, or rather had, by all appearance, established an arbitrary government in that kingdom: but to speak in the language of a great man, those who conducted matters at that time, had as little of the prudence of the serpent as of the innocence of the dove: and, as my father often told me, he and many others who adhered in the sequel firmly to the king's interest, were then much troubled at the whole conduct of affairs, as being neither wise, legal, nor just. I will go no farther, in opening the beginnings of the troubles of Scotland. Of these a full account will be found in the memoirs of the dukes of Hamilton. The violence with which that kingdom did almost unanimously engage against the administration may easily convince one, that the provocation must have been very great to draw on such an entire and vehement concurrence against it.

After the first pacification, upon the new disputes that arose, when the earls of Lowdun and Dunfermline were sent up with the petition from the covenanters, the lord Saville came to them, and informed them of many particulars, by which they saw the king was highly irritated against them: he took great pains to persuade them to come with their army into England. They very unwillingly harkened to that proposition, and looked on it as a design from the court to ensnare them, making the Scots invade England, by which this nation might have been provoked to assist the king to conquer Scotland. It is true, he hated the earl of Strafford so much, that they saw no cause to suspect him: so they entered into a treaty with him about it. The lord Saville assured them, he spake to them in the name of the most considerable men in England; and he shewed them an engagement under their hands to join with them, if they would come into England, and refuse any treaty but what should be confirmed by the Parliament of England. They desired leave to send this paper into Scotland, to which after much seeming difficulty he consented: so a cane was hollowed, and this was put within it; and one Frost, afterwards secretary to the committee of both kingdoms, was sent down with it as a poor traveller. It was to be communicated only to three persons, the earls of Rothes and Argyle, and to Waristoun, the three chief confidants of the covenanters. The earl of Rothes was a man of pleasure, but of a most obliging temper; his affairs were low: Spotiswood had once made the bargain between the king and him before the troubles, but the earl of Traquair broke it, seeing he was to be raised above himself. The earl of Rothes had all the arts of making himself popular; only there was too much levity in his temper, and too much liberty in his course of life. The earl of Argyle was a more solemn sort of a man, grave and sober, free of all scandalous vices, of an invincible calmness of temper, and a pretender to high degrees of piety: he was much set on raising his own family to be a sort of king in the Highlands.

Waristoun was my own uncle. He was a man of great application, could seldom sleep above three hours in the twenty-four. He had studied the law carefully, and had a great quickness of thought, with an extraordinary memory. He went into very high notions of lengthened devotions, in which he continued many hours a day: he would often pray in his family two hours at a time, and had an unexhausted copiousness that way. What thought soever struck his fancy during those effusions, he looked on it as an answer of prayer. and

was wholly determined by it. He looked on the covenant as the setting Christ on his throne, and so was out of measure zealous in it. He had no regard to the raising himself or his family, though he had thirteen children : but presbytery was to him more than all the world. He had a readiness and vehemence of speaking that made him very considerable in public assemblies : and he had a fruitful invention ; so that he was at all times furnished with expedients. To these three only this paper was to be shewed upon an oath of secrecy ; and it was to be deposited in Waristoun's hands. They were only allowed to publish to the nation, that they were sure of a very great and unexpected assistance, which though it was to be kept secret would appear in due time. This they published ; and it was looked on as an artifice to draw in the nation : but it was afterwards found to be a cheat indeed, but a cheat of lord Saville's, who had forged all these subscriptions \*.

The Scots marched with a very sorry equipage : every soldier carried a week's provision of oatmeal ; and they had a drove of cattle with them for their food. They had also an invention of guns of white iron tinned, and done about with leather and corded, so that they could serve for two or three discharges. These were light, and were carried on horses. And when they came to Newburn, the English army that defended the ford was surprised with a discharge of artillery : some thought it magic ; and all were put in such disorder that the whole army did run with so great precipitation, that sir Thomas Fairfax, who had a command in it, did not stick to own that till he passed the Tees his legs trembled under him. This struck many of the enthusiasts on the king's side, as much as it exalted the Scots ; who were next day possessed of Newcastle, and so were masters not only of Northumberland and the bishopric of Duresme (Durham), but of the collieries ; by which, if they had not been in a good understanding with the city of London, they would have distressed them extremely : but all the use the city made of this was, to raise a great outcry, and to complain of the war, since it was now in the power of the Scots to starve them. Upon that petitions were sent from the city and from some counties to the king, praying a treaty with the Scots. The lord Wharton and the lord Howard of Escrick undertook to deliver some of these ; which they did, and were clapt up upon it. A council of war was held ; and it was resolved on, as the lord Wharton told me, to shoot them at the head of the army, as movers of sedition. This was chiefly pressed by the earl of Strafford. Duke Hamilton spoke nothing till the council rose ; and then he asked Strafford, if he was sure of the army, who seemed surprised at the

\* Thomas Saville, successively created Baron Saville, and Earl of Sussex, by king Charles, was one of the most despicable characters that occurs in our national history. In 1642, for not leaving the king when commanded by the parliament, he was forbidden to resume his seat during the session, and eventually he was voted an enemy of the state. So far all was well, for, if he adhered to the king conscientiously, these marks of the anger of his opponents were honourable to him rather than disgraceful ; but the king had soon cause to suspect his fidelity. The proofs against him were sufficient to warrant his imprisonment, and created such contempt for him in the king's mind, that he sent him word by lord Digby, " that his pleasure was, that he should neither come into his presence, or speak to any lord, or go to the prince, or stay at Oxford." He requested permission to retire to the continent, but instead of adopting this honourable retirement, he escaped to the quarters of the parliament army (Parliament History, xiii. 426), and voluntarily swore that he came and submitted to the power of the parliament without having any design to its prejudice, and without any connivance with the king or his partisans. Yet within two months he was committed to the Tower upon strong suspicion of plotting against the parliament interests. To extenuate himself, he brought false charges against Mr. Holles and Mr. Whitelocke, but these being disproved, he died as he had lived, despised by all who had known him. Lord Clarendon says of him, " The Lord Saville was likewise of the council. being first controller, and then treasurer of the household, in recompence of his discovery of all the treasons and conspiracies, after they had

taken effect and could not be punished. He was a man of an ambitious and restless nature ; of parts and wit enough, but in his disposition and inclination so false, that he could never be believed or depended upon." Clarendon then states the forgery as related by our author, and adds, " When all this mischief was brought to pass, and he found his credit in the parliament not so great as other men's, he insinuated himself into credit with somebody, who brought him to the king or queen, to whom he confessed all he had done to bring in the Scots, who had conspired with him, and all the secrets he knew, with a thousand protestations, to repair all by future loyalty and service ;" for which he was promised a white staff, which the king had then resolved to take from Sir Henry Vane. This promotion he had accordingly ; though all his discovery was of no other use than to let the king know many had been false whom he could not punish, and some whom he could not suspect. When the king came to York, where this lord's fortune and interest lay, his reputation was so low, that the gentlemen of interest who wished well to the king's service would not communicate with him ; and, after the king's remove from thence, the earl of Newcastle found cause to have such a jealousy of him, that he thought it right to imprison him, and afterwards sent him to Oxford, where he so well purged himself, that he was again restored to his office. But in the end he behaved himself so ill, that the king put him again out of his place, and committed him to prison, and never after admitted him to his presence, nor would any man of quality ever after keep any correspondence with him. (Hist. of Rebellion, ii. 155, fol. ed.)



question : but he, upon inquiry, understood that very probably a general mutiny, if not a total revolt, would have followed, if any such execution had been attempted. This success of the Scots ruined the king's affairs. And by it the necessity of the union of the two kingdoms may appear very evident : for nothing but a superior army, able to beat the Scots, can hinder their doing this at any time : and the seizing the collieries must immediately bring the city of London into great distress. Two armies were now in the north as a load on the king, besides all the other grievances. The lord Saville's forgery came to be discovered. The king knew it ; and yet he was brought afterwards to trust him, and to advance him to be earl of Sussex. The king pressed my uncle to deliver him the letter, who excused himself upon his oath ; and not knowing what use might be made of it, he cut out every subscription, and sent it to the person for whom it was forged. The imitation was so exact, that every man, as soon as he saw his hand simply by itself, acknowledged that he could not have denied it.

The king was now in great straits ; he had laid up 700,000*l.* before the troubles in Scotland began ; and yet had raised no guards nor force in England, but trusted a very illegal administration to a legal execution. His treasure was now exhausted ; his subjects were highly irritated ; the ministry were all frightened, being exposed to the anger and justice of the parliament : so that he had brought himself into great distress, but had not the dexterity to extricate himself out of it. He loved high and rough methods, but had neither the skill to conduct them, nor the height of genius to manage them. He hated all that offered prudent and moderate councils : he thought it flowed from a meanness of spirit, and a care to preserve themselves by sacrificing his authority, or from republican principles : and even when he saw it was necessary to follow such advice, yet he hated those that gave them. His heart was wholly turned to the gaining the two armies. In order to that, he gained the earl of Rothes entirely, who hoped by the king's mediation to have married the countess of Devonshire, a rich and magnificent lady that lived long in the greatest state of any in that age. He also gained the earl of Montrose, who was a young man well learned, who had travelled, but had taken upon him the port of a hero too much. When he was beyond sea he travelled with the earl of Denbigh ; and they consulted all the astrologers they could hear of\*. I plainly saw the earl of Denbigh relied on what had been told him to his dying day ; and the rather because the earl of Montrose was promised a glorious fortune for some time, but all was to be overthrown in conclusion. When the earl of Montrose returned from his travels, he was not considered by the king as he thought he deserved : so he studied to render himself popular in Scotland ; and he was the first man in the opposition they made during the first war. He both advised and drew the letter to the king of France, for which the lord Lowdun, who signed it, was imprisoned in the Tower of London. But the earl of Lauderdale, as he himself told me, when it came to his turn to sign that letter, found false French in it ; for instead of *rayons de soleil* he had written *raye de soleil*, which in French signifies a sort of fish ; and so the matter went no farther at that time ; and the treaty came on so soon after, that it was never again taken up. The earl of Montrose was gained by the king at Berwick, and undertook to do great services. He either fancied, or at least he made the king fancy, that he could turn the whole kingdom : yet indeed he could do nothing. He was

\* These two noblemen must not be considered as exceptions from the community to which they belonged, for England was never so imbued with superstition as it was during the seventeenth and eighteenth centuries. It was confined to no class or order in society—no grade of rank or education seems to have secured its possessor from the weakness. Charles the first consulted astrologers as guides to his times of action. Cromwell had faith in lucky days—Land believed in omens, and registered his dreams. Selden thought there was a charm over diseases in the mystic mutterings of Dr. Floyd ; the duke of Buckingham, Richard Cromwell, secretary Thurloe, and many others who will be mentioned in the course of this work, sought to read the pages of the future by the help of the impostors of their time. Lilly, Partridge, Wharton, Godbury, Saunders, Coley, Middleton, Culpepper, Heydon,

were almost all contemporary astrologers. So many practitioners are an earnest that there was much employment. Heydon was the adept especially consulted by the duke of Buckingham ; the wily impostor, however, lost much of his credit after being deceived by Richard Cromwell and Thurloe. These went to him disguised as cavaliers, and he told them that Oliver the Protector would infallibly be hanged by a tree, which he survived several years.—(*Carte's Life of the Duke of Ormond.—Continuation of Lord Clarendon's Life.* 816.—&c. &c.) It is worthy of observation, that the majority of astrologers charge all other practitioners with being impostors and cheats ! They certainly never could foretell their own misfortunes, or else Lilly would never have married such a virago of a wife ; neither would Heydon have engaged in the treacherable practices that consigned him to the Tower

again trying to make a new party : and he kept a correspondence with the king when he lay at Newcastle ; and was pretending he had a great interest among the covenanters, whereas at that time he had none at all. All these little plottings came to be either known, or at least suspected. The queen was a woman of great vivacity in conversation, and loved all her life long to be in intrigues of all sorts, but was not so secret in them as such times and such affairs required. She was a woman of no manner of judgment : she was bad at contrivance, but much worse in the execution ; but by the liveliness of her discourse she made always a great impression on the king : and to her little practices, as well as to the king's own temper, the sequel of all his misfortunes was owing\*. I know it was a maxim infused into his sons, which I have often heard from king James, that he was undone by his concessions. This is true in some respect : for his passing the act that the parliament should sit during pleasure was indeed his ruin, to which he was drawn by the queen. But if he had not made great concessions, he had sunk without being able to make a struggle for it ; and could not have divided the nation, or engaged so many to have stood by him ; since by the concessions that he made, especially that of the triennial parliament, the honest and quiet part of the nation was satisfied, and thought their religion and liberties were secured : so they broke off from † those more violent propositions that occasioned the war.

The truth was, the king did not come into those concessions seasonably, nor with a good grace. All appeared to be extorted from him. There were also grounds, whether true or plausible, to make it to be believed, that he intended not to stand to them any longer than he lay under that force, that visibly drew them from him contrary to his own inclinations ‡. The proofs that appeared of some particulars, that made this seem true, made other things that were whispered to be more readily believed ; for in all critical times there are deceitful people of both sides, that pretend to merit by making discoveries, on condition that no use shall be made of them as witnesses ; which is one of the most pestiferous ways of calumny possible. Almost the whole court had been concerned in one illegal grant or another : so these courtiers, to get their faults passed over, were as so many spies upon the king and queen : they told all they heard, and perhaps not without large additions, to the leading men of the House of Commons. This inflamed their jealousy, and pushed them on to the making still new demands. One eminent passage was told me by the lord Hollis.

\* Charles was indeed unfortunate—unfortunate in his own unfirmness of character ; unfortunate as to the period in which he ascended the throne ; and unfortunate to such a degree, that those who loved him contributed as much to his ruin, as those who were his enemies. Of those attached to him, and who hastened his destruction, the queen was among the most culpable.

She was extremely beautiful and accomplished ; her portrait is still in Windsor Castle, and those who have seen its lovely features must have ceased to wonder that their possessor fascinated and subdued sterner natures than that of Charles the first. To her accomplishments, generally, all contemporary annalists give their assent ; but in singing, she evidently particularly excelled. "I found it true," said lord Kensington, writing to Charles, "that neither her master Bayle, nor any man or woman in France, or in the world, sings so admirably as she. Sir, it is beyond imagination ; that is all I can say of it." Such charms and such accomplishments, accompanied by great vivacity of manner, had too fascinating an influence over the king. She was imperious, haughty, and prone to bursts of passion which hurried her to recommend and insist upon measures disastrous in their results, and against the consequences of which she had neither sufficient judgment to suggest resources nor firmness to maintain opposition. Her angry urging the king to seize the five members suffices as an illustration of this—it was the conclusive thrust that determined the fatal separation between the parliament and the king. She had been educated with very high notions of the royal prerogative, and had been used to see despotic sovereignty exercised over an ignorant and slavish people. This led her to the mistaken conclu-

sion that the same power might be exercised over Englishmen. She acted vigorously to maintain the king's cause in the war consequent to this fatal error ; and did not discover how much she was mistaken, and how vain is the struggle to coerce a people resolved to be free, until some years subsequent to the overthrow of all her plans, and the death of her husband. She returned to England at the Restoration, after being absent nearly nineteen years ; and is said to have declared, on re-entering Somerset House, "that if she had known the temper of the English some years before, as well as she now did, she had never been obliged to leave that palace." It will be seen in future pages how strenuously she exerted herself to retain political influence during the reign of her son Charles the second. In this she failed. She sinks greatly in the scale of estimation, if, as it would appear from sir John Reresby's Memoirs, she was secretly the wife of Henry Jermyn, earl of St. Albans.

† It seems clearer, if, instead of *broke off from*, the sentence ran *would not go into*.—(Note by Author's Son.)

‡ The duplicity and insincerity of Charles have been placed beyond any just doubt by his private papers, which fell into the hands of the parliament after his final defeat at the battle of Naseby. The "Eikon Basilike" mentions these without disputing their authenticity. They contain copies of letters in which the king states decidedly, that though he called the parliament by that name, yet in his conscience he did not hold it to be one, nor should he treat it as such, in the event of success. Who can say where the parliament could find security, after this, but by his death ?

The earl of Strafford had married his sister. So, though in that parliament he was one of the hottest men of the party, yet when that matter was before them he always withdrew. When the bill of attainder was passed, the king sent for him to know what he could do to save the earl of Strafford. Hollis answered, that if the king pleased, since the execution of the law was in him, he might legally grant him a reprieve, which must be good in law; but he would not advise it. That which he proposed was, that lord Strafford should send him a petition for a short respite, to settle his affairs and to prepare for death; upon which he advised the king to come next day with the petition in his hands, and lay it before the two houses with a speech which he drew for the king; and Hollis said to him, he would try his interest among his friends to get them to consent to it. He prepared a great many, by assuring them, that if they would save lord Strafford he would become wholly theirs in consequence of his first principles: and that he might do them much more service by being preserved, than he could do if made an example upon such new and doubtful points. In this he had wrought on so many, that he believed if the king's party had struck into it he might have saved him. It was carried to the queen, as if Hollis had engaged that the earl of Strafford should accuse her, and discover all he knew. So the queen not only diverted the king from going to the parliament, changing the speech into a message all written with the king's own hand, and sent to the House of Lords by the prince of Wales; (which Hollis had said, would have perhaps done as well, the king being apt to spoil things by an unacceptable manner;) but to the wonder of the whole world, the queen prevailed with him to add that mean postscript, "if he must die, it were charity to reprieve him till Saturday;" which was a very unhandsome giving up of the whole message. When it was communicated to both houses, the whole court party was plainly against it: and so he fell truly by the queen's means\*.

The mentioning this makes me add one particular concerning archbishop Laud: when his impeachment was brought to the Lords' bar, he apprehending how it would end, sent over Warner, bishop of Rochester, with the keys of his closet and cabinet, that he might destroy, or put out of the way, all papers that might either hurt himself or any body else. He was at that work for three hours, till, upon Laud's being committed to the black rod, a messenger went over to seal up his closet, who came after all was withdrawn. Among the writings he took away, it is believed the original Magna Charta passed by king John in the mead near Staines was one. This was found among Warner's papers by his executor: and that descended to his son and executor, colonel Lee, who gave it to me. So it is now in my hands; and it came very fairly to me. For this conveyance of it we have nothing but conjecture†.

\* This is a hasty assignment of one of the blackest crimes that disgrace our country's history. It appears certain that the queen disliked Strafford, for when he bore no other title than the worthy name of Wentworth, he had been the uncompromising objurgator of measures and of the religion to which she was attached. Although this enmity existed, and although the fear of injuring her interests, and those of his children, may have influenced the king to consent to the earl's death, yet having signed the warrant, and all the court party being against its revocation, it is hard to say, that a postscript, like the one in question, admitting the queen dictated it, was the cause of his execution. It must be recollected that 204 voted for the earl's condemnation, and only 59 opposed it. Lord Hollis may have had all the influence that can reasonably be granted him, or his own complacency claimed, yet he must have fallen, even then, far short of being able to reverse the majority. It was an imbecile, pusillanimous, ill-judged postscript, but if it had never been written, the letter cannot be considered as fraught with such magic charms as to have converted the hearts and resolutions of both houses of parliament. They were urged on, not only by their own convictions, that it was necessary to intimidate, by the earl's execution, all the counsellors of despotic sovereignty; but they were also impelled by "the pressure from without;" the people, as Whitelock relates, assembled round the houses, and clamoured riotously for his execution. To this popular feeling the king dared,

against the dictates of his conscience, to yield; and at the time he confessed this, when speaking to the deputation that waited upon him in consequence of the above letter, he takes the merit of the authorship of the postscript to himself. He said "that what he intended by his letter was, with an if; if it might be done without discontentment of his people; if that cannot be, I say again, the same I wrote, *fiat justitia*. My other intention, proceeding out of charity, for a few days' respite, was upon certain information that his estate was so distracted, that it necessarily required some few days for settlement thereof." (*Rushworth's Trial of Strafford*.) If he really thought so, the prerogative of mercy as well as of justice was still his; why then did he not reprieve his servant? why did he not perform the act of charity? was he not bold enough to dare to do good, as he had been to do evil? could he not venture, without leave, to give his sacrificed friend three days' grace?

† Colonel Lee is stated to have given the original Magna Charta to Dr. Burnet, by the intervention of Mr. Geddis. Upon the death of our author, it came to his son, sir Thomas Burnet; in the hands of whose executor, Mr. David Mitchell, it was seen and referred to by sir William Blackstone. When Mr. Mitchell died, this truly national relic came into the possession of his daughter, of whom it was purchased by earl Stanhope, and given to the British Museum, where it may now be seen.—*Blackstone's Law Tracts*, 3rd ed. 297.



I do not intend to prosecute the history of the wars. I have told a great deal relating to them in the memoirs of the dukes of Hamilton. Rushworth's collections contain many excellent materials. And now the first volume of the earl of Clarendon's history gives a faithful representation of the beginnings of the troubles, though written in favour of the court, and full of the best excuses that such ill things were capable of. I shall, therefore, only set out what I had particular reason to know, and what is not to be met with in books.

The kirk was now settled in Scotland with a new mixture of ruling elders; which though they were taken from the Geneva pattern, to assist or rather to be a check on the ministers, in the managing the parochial discipline, yet these never came to their assemblies till the year 1638, that they thought it necessary to make them first go and carry all the elections of the ministers at the several presbyteries, and next come themselves and sit in the assemblies. The nobility and chief gentry offered themselves upon that occasion: and the ministers, since they saw they were like to act in opposition to the king's orders, were glad to have so great a support. But the elders that now came to assist them beginning to take, as the ministers thought, too much on them, they grew weary of such imperious masters: so they studied to work up the inferior people to much zeal: and as they wrought any up to some measure of heat and knowledge, they brought them also into their eldership; and so got a majority of hot zealots who depended on them. One out of these was deputed to attend on the judicatories. They had synods of all the clergy, in one or more counties, who met twice a year; and a general assembly met once a year: and at parting, that body named some, called the commission of the kirk, who were to sit in the intervals to prepare matters for the next assembly, and to look into all the concerns of the church, to give warning of dangers, and to inspect all proceedings of the state as far as related to the matters of religion: by these means they became terrible to all their enemies. In their sermons, and chiefly in their prayers, all that passed in the state was canvassed. Men were as good as named, and either recommended or complained of, to God, as they were acceptable or odious to them. This grew up in time to an insufferable degree of boldness. The way that was given to it, when the king and the bishops were their common themes, made that, afterwards, the humour could not be restrained: and it grew so petulant, that the pulpit was a scene of news and passion. For some years this was managed with great appearances of fervour by men of age and some authority: but when the younger and hotter zealots took it up, it became odious to almost all sorts of people: except some sour enthusiasts, who thought all their impertinence was zeal, and an effect of inspiration; which flowed naturally from the conceit of extemporary prayers being praying by the spirit.

Henderson, a minister of Edinburgh, was by much the wisest and gravest of them all: but as all his performances that I have seen are flat and heavy, so he found it was an easier thing to raise a flame than to quench it. He studied to keep his party to him: yet he found he could not moderate the heat of some fiery spirits: so when he saw he could follow them no more, but that they had got the people out of his hands, he sunk both in body and mind, and died soon after\*. The person next to him was Douglas, believed to be descended from the royal family, though the wrong way. There appeared an air of greatness in him that made all that saw him inclined enough to believe he was of no ordinary descent. He was a reserved man: he had the scriptures by heart to the exactness of a Jew; for he was as a concordance: he was too calm and too grave for the furious men, but yet he was much depended on for his prudence. I know him in his old age; and saw plainly, he was a

\* Alexander Henderson was the most influential of the presbyterian clergy; and took the lead in all the religious and political discussions in which his party were engaged. In 1646, he came with some other clergymen to persuade the king to abolish the episcopal form of church government in England, as he had in Scotland. To which if he had consented, Clarendon thought that they would have effectually strengthened his party both in parliament and in the field. The papers which passed between Mr. Henderson and Charles, relative to the comparative merits of the two forms of ecclesiastical discipline, have since been published, and if the king's arguments were not

sufficient to convince his antagonists, they must have certainly raised him in their estimation. They are ably arranged, and cogently enforced. Clarendon says, "the old man himself, Mr. Henderson, was so far convinced and converted, that he had a very deep sense of the mischief he had himself been the author of, or too much contributed to, and lamented it to his warmest friends and confidants; and died of grief and heart-broken, within a very short time after he departed from his majesty."—(*History of Rebellion*, iii 24, fo. ed. *Barwick's Life of J. Barwick*, 263.)

slave to his popularity, and durst not own the free thoughts he had of some things for fear of offending the people.

I will not run out in giving the characters of the other leading preachers among them, such as Dickson, Blair, Rutherford, Baily, Cant, and the two Gillispys\*. They were men all of a sort; they affected great sublimities in devotion; they poured themselves out in their prayers with a loud voice, and often with many tears. They had but an ordinary proportion of learning among them; something of Hebrew and very little Greek. Books of controversy with papists, but above all with the Arminians, was the height of their study. A way of preaching by doctrine, reason, and use, was that they set up on: and some of them affected a strain of stating cases of conscience, not with relation to moral actions, but to some reflections on their condition and temper: that was occasioned chiefly by their conceit of praying by the spirit, which every one could not attain to, or keep up to the same heat in, at all times. The learning they recommended to their young divines were some German systems, some commentators on the scripture, books of controversy, and practical books. They were so careful to oblige them to make their round in these, that if they had no men of great learning among them, yet none were very ignorant: as if they had thought an equality in learning was necessary to keep up the parity of their government. None could be suffered to preach as expectants, (as they called them,) but after a trial or two in private before the ministers alone: then two or three sermons were to be preached in public, some more learnedly, some more practically: then a head in divinity was to be common-placed in Latin, and the person was to maintain theses upon it: he was also to be tried in Greek and Hebrew, and in scripture chronology. The questionnaire trial came last, every minister asking such questions as he pleased. When any had passed through all these with approbation, which was done in a course of three or four months, he was allowed to preach when invited. And if he was presented, or called to a church, he was to pass through a new set of the same trials. This made that there was a small circle of knowledge in which they were generally well instructed. True morality was little studied or esteemed by them: they took much pains among their people to maintain their authority; they affected all the ways of familiarity that were like to gain on them.

They forced all people to sign the covenant: and the greatest part of the episcopal clergy, among whom there were two bishops, came to them, and renounced their former principles, and desired to be received into their body. At first they received all that offered themselves; but afterwards they repented of this: and the violent men among them were ever pressing the purging the kirk, as they called it, that is the ejecting all the episcopal clergy. Then they took up the term of *malignants*, by which all who differed from them were distinguished: but the strictness of piety and good life, which had gained them so much reputation before the war, began to wear off; and instead of that, a fierceness of temper, and a copiousness of many long sermons, and much longer prayers, came to be the distinction of the party. This they carried even to the saying grace before and after meat sometimes to the length of a whole hour†. But as every new war broke out, there was a visible abatement of even the outward shows of piety. Thus the war corrupted both sides. When the war broke out in England, the Scots had a great mind to go into it. The decayed nobility, the military men, and the ministers were violently set on it. They saw what good quarters they had in the north of England. And they hoped the umpirage of the war would fall into their hands.

\* Two, if not more, of these were able and learned men. David Dickson was professor of divinity at Glasgow, and favourably known as an author on sacred subjects. He assisted in drawing up the Confession of Faith. He was ejected for nonconformity in 1662, and died the same year. (*Life by Woodrow.*) Robert Baillie was principal of Glasgow College, and might have had a bishopric at the Restoration, if he would have accepted it, but he adhered to his presbyterian principles. Those facts redound to his credit, especially when it is remembered that he was one of the commissioners to impeach archbishop Laud; and was one of the Assembly of Divines. His "Letters and Journals" have been published. They contain abundance

of very interesting, authentic information.—*Life prefixed to his Letters.*

† What they occasionally endured is appreciable from Mr. Baillie's account of the unintermitted occupation of eight hours. "After Dr. Twisse had begun with a short prayer, Mr. Marshall prayed largely, two hours. After, Mr. Arrowsmith preached an hour, then a psalm; thereafter, Mr. Vines prayed near two hours, and Mr. Palmer preached an hour, and Mr. Seaman prayed near two hours, then a psalm; after, Mr. Henderson preached, and Dr. Twisse closed with a short prayer and blessing." Mr. Baillie calls this "spending from nine to five very graciously."—*Baillie's Letters*, vol. ii. 19.



The division appearing so near an equality in England they reckoned they would turn the scales, and so be courted of both sides: and they did not doubt to draw great advantages from it, both for the nation in general, and themselves in particular. Duke Hamilton was trusted by the king with the management of his affairs in that kingdom, and had powers to offer, but so secretly, that if discovered it could not be proved, for fear of disgusting the English, that if they would engage in the king's side, he would consent to the uniting Northumberland, Cumberland, and Westmorland, to Scotland; and that Newcastle should be the seat of the government; that the prince of Wales should hold his court always among them; that every third year the king should go among them; and every office in the king's household should in the third turn be given to a Scotchman. This I found not among duke Hamilton's papers; but the earl of Lauderdale assured me of it, and that at the Isle of Wight they had all the engagements from the king that he could give. Duke Hamilton quickly saw, it was a vain imagination to hope that kingdom could be brought to espouse the king's quarrel. The inclination ran strong the other way: all he hoped to succeed in was to keep them neuter for some time; and this he saw could not hold long: so after he had kept off their engaging with England all the year 1643, he and his friends saw it was in vain to struggle any longer. The course they all resolved on was, that the nobility should fall in heartily with the inclinations of the nation to join with England, that so they might procure to themselves and their friends the chief commands in the army: and then, when they were in England, and that their army was, as a distinct body, separated from the rest of the kingdom, it might be much easier to gain them to the king's service, than it was at that time to work on the whole nation.

This was not a very sincere way of proceeding; but it was intended for the king's service, and would probably have had the effect designed by it, if some accidents had not happened that changed the face of affairs, which are not rightly understood; and, therefore, I will open them clearly. The earl of Montrose and a party of high royalists were for entering into an open breach with the country in the beginning of the year 1643, but offered no probable methods of maintaining it; nor could they reckon themselves assured of any considerable party. They were full of undertakings: but when they were pressed to show what concurrence might be depended on, nothing was offered but from the Highlanders: and on this wise men could not rely: so duke Hamilton would not expose the king's affairs by such a desperate way of proceeding. Upon this they went to Oxford, and filled all people there with complaints of the treachery of the Hamiltons; and they pretended they could have secured Scotland, if their propositions had been entertained. This was but too suitable to the king's own inclinations, and to the humour that was then prevailing at Oxford. So when the two Hamiltons came up, they were not admitted to speak to the king: and it was believed, if the younger brother had not made his escape, that both would have suffered; for when the queen heard of his escape, she with great commotion said, Abercorn has missed a dukedom; for that earl was a papist, and next to the two brothers. They could have demonstrated, if heard, that they were sure of above two parts in three of the officers of the army; and did not doubt to have engaged the army in the king's cause. But the failing in this was not all. The earl, then made marquis of Montrose, had powers given him, such as he desired, and was sent down with them; but he could do nothing till the end of the year. A great body of the Macdonalds, commanded by one col. Killoch, came over from Ireland to recover Kentire, the best country of all the Highlands, out of which they had been driven by the Argyle family, who had possessed their country about fifty years. The head of these was the earl of Antrim, who had married the duke of Buckingham's widow; and being a papist, and having a great command in Ulster, was much relied on by the queen. He was the main person in the first rebellion, and was the most engaged in bloodshed of any in the north: yet he continued to correspond with the queen to the great prejudice of the king's affairs. When the marquis of Montrose heard they were in Argyleshire, he went to them, and told them, if they would let him lead them he would carry them into the heart of the kingdom, and procure them better quarters and good pay: so he led them into Perthshire. The Scots had at that time an army in England, and another in Ireland: yet they did not think it necessary to call home any part of either, but despising the Irish, and the Highlanders, they raised a tumultuary army, and put it under



the command of some lords noted for want of courage, and of others who wished well to the other side. The marquis of Montrose's men were desperate, and met with little resistance: so that small body of the covenanters' army was routed. And here the marquis of Montrose got horses and ammunition, having but three horses before, and powder only for one charge. Then he became considerable; and he marched through the northern parts by Aberdeen. The Marquis of Huntly was in the king's interests; but would not join with him, though his sons did. Astrology ruined him: he believed the stars, and they deceived him: he said often, that neither the king, nor the Hamiltons, nor Montrose, would prosper: he believed he should outlive them all, and escape at last; as it happened in conclusion, as to outliving the others. He was naturally a gallant man: but the stars had so subdued him, that he made a poor figure during the whole course of the wars.

The marquis of Montrose's success was very mischievous, and proved the ruin of the king's affairs: on which I should not have depended entirely, if I had had this only from the earl of Lauderdale, who was indeed my first author: but it was fully confirmed to me by the lord Hollis, who had gone in with great heat into the beginnings of the war; but he soon saw the ill consequences it already had, and the worse that were like to grow with the progress of it: he had in the beginning of the year forty-three, when he was sent to Oxford with the propositions, taken great pains on all about the king to convince them of the necessity of their yielding in time; since the longer they stood out the conditions would be harder: and when he was sent by the parliament in the end of the year forty-four, with other propositions, he and Whitlock entered into secret conferences with the king, of which some account is given by Whitlock in his memoirs. They with other commissioners that were sent to Oxford possessed the king, and all that were in great credit with him, with this, that it was absolutely necessary the king should put an end to the war by a treaty: a new party of hot men was springing up, that were plainly for changing the government: they were growing much in the army, but were yet far from carrying any thing in the house: they had gained much strength this summer: and they might make a great progress by the accidents that another year might produce. They confessed there were many things hard to be digested, that must be done in order to a peace; they asked things that were unreasonable; but they were forced to consent to those demands: otherwise they would have lost their credit with the city and the people, who could not be satisfied without a very entire security, and a full satisfaction: but the extremity to which matters might be carried otherwise made it necessary to come to a peace on any terms whatsoever; since no terms could be so bad as the continuance of the war. The king must trust them, though they were not at that time disposed to trust him so much as it were to be wished; they said farther, that if a peace should follow, it would be a much easier thing to get any hard laws now moved for to be repealed, than it was now to hinder their being insisted on. With these things Hollis told me that the king and many of his counsellors, who saw how his affairs declined, and with what difficulty they could hope to continue the war another year, were satisfied. The king more particularly began to feel the insolence of the military men, and of those who were daily reproaching him with their services: so that they were become as uneasy to him as those of Westminster had been formerly. But some came in the interval from lord Montrose with such an account of what he had done, of the strength he had, and of his hopes next summer, that the king was by that prevailed on to believe his affairs would mend, and that he might afterwards treat on better terms. This unhappily wrought so far, that the limitations he put on those he sent to treat at Uxbridge made the whole design miscarry. That raised the spirits of those that were already but too much exasperated. The marquis of Montrose made a great progress the next year: but he laid no lasting foundation, for he did not make himself master of the strong places or passes of the kingdom. After his last and greatest victory at Kilsyth, he was lifted up out of measure. The Macdonalds were every where fierce masters, and ravenous plunderers; and the other Highlanders, who did not such military executions, yet were good at robbing: and when they had got as much as they could carry home on their backs, they deserted. The Macdonalds also left him to go and execute their revenge on the Argyle's country. The marquis of Montrose thought he was now master, but had no scheme how to fix his conquests; he wasted the estates of his enemies, chiefly the Hamiltons:

and went towards the borders of England, though he had but a small force left about him ; but he thought his name carried terror with it. So he wrote to the king that he had gone over the land from Dan to Beersheba : he prayed the king to come down in these words—“ come thou, and take the city, lest I take it and it be called by my name.” This letter was written, but never sent ; for he was routed, and his papers taken, before he had despatched the courier. When his papers were taken, many letters of the king, and of others at Oxford, were found, as the earl of Crawford, one appointed to read them, told me ; which increased the disgusts : but these were not published. Upon this occasion many prisoners that had quarters given them were murdered in cold blood : and as they sent them to some towns that had been ill used by lord Montrose’s army, the people in revenge fell on them and knocked them on the head. Several persons of quality were condemned for being with them : and they were proceeded against both with severity and with indignities. The preachers thundered in their pulpits against all that did the work of the Lord deceitfully ; and cried out against all that were for moderate proceedings, as guilty of the blood that had been shed. “ Thine eye shall not pity, and thou shalt not spare,” were often inculcated after every execution : they triumphed with so little decency, that it gave all people very ill impressions of them. But this was not the worst effect of lord Montrose’s expedition. It lost the opportunity at Uxbridge, it alienated the Scots much from the king : it exalted all that were enemies to peace. Now they seemed to have some colour for all those aspersions they had cast on the king, as if he had been in a correspondence with the Irish rebels, when the worst tribe of them had been thus employed by him. His affairs declined totally in England that summer : and lord Hollis said to me, all was owing to lord Montrose’s unhappy successes\*.

Upon this occasion I will relate somewhat concerning the earl of Antrim. I had in my hand several of his letters to the king in the year 1646, written in a very confident style. One was somewhat particular : he in a postscript desired the king to send the enclosed to the good woman, without making any excuse for the presumption ; by which, as follows in the postscript, he meant his wife, the duchess of Buckingham. This made me more easy to believe a story that the earl of Essex told me he had from the earl of Northumberland : upon the Restoration, in the year 1660, lord Antrim was thought guilty of so much bloodshed, that it was taken for granted he could not be included in the indemnity that was to pass in Ireland :

\* Clarendon, as all professed apologists should be, is very careful in concealing dates. Thus in relating these transactions he places the statement of Montrose’s successes after the treaty of Uxbridge, and no dates being specified, the reader is left without a guide to detect the error. From the extreme minuteness of detail, with which his lordship relates the intrigues and persuasions that were employed to induce the king to employ Montrose, Antrim, and O’Neil in this ill-judged expedition, there is reason to believe that he was one of its counsellors, and consequently not at all covetous of the blame which always descends upon those who happen to be the contrivers of disastrous projects, though better judged than this. Dr. Wellwood confirms Burnet’s statement. He states that although at the treaty of Uxbridge the parliament’s propositions were extreme, and the king more than ordinarily averse to yield, yet the ill posture of his affairs made his friends particularly importunate with him to avoid the consequences that must ensue upon breaking off the treaty. The earl of Southampton went post from Uxbridge to Oxford, and implored upon his knees the king to yield to the necessity of the times, and thus settle a lasting peace with his people. His majesty at length yielded, and the next morning was appointed to sign instructions to that effect for his commissioners. A termination of the troubles seemed now approaching, and at supper, when the king complained of the wine, one of his courtiers replied, “ he hoped his majesty would drink better, before a week was over, at Guildhall with the lord mayor.” But on the following morning the king had changed his mind, and refused to yield to the parliament’s

demands. In the interim his majesty had received a letter from the marquis of Montrose, acquainting him with, and certainly exaggerating, his successes. Dr. Wellwood saw a copy of it in the hand-writing of the duke of Richmond, and has preserved it in the appendix to his “ *Memoirs*.” In this letter he expressed his “ utter aversion to all treaties with the rebel parliament in England ;” tells the king “ he is heartily sorry to hear that his majesty had consented to treat, and hopes it is not true ;” advises him “ not to enter into terms with his rebellious subjects, as being a thing unworthy of a king :” and concludes, “ when I have conquered from Dan to Beersheba, give me leave to say, as David’s general did to his master, ‘ come thou thyself, lest this country be called by my name.’ ” Wellwood remarks that a fatality seems to have attended the whole transaction. The letter was written on the 3rd of February, in a distant part of North Britain, yet came to Oxford, notwithstanding the distance, the badness of the roads, especially at that season, and that the despatch had to pass through a country occupied by the parliament’s and Scotch armies, before the 19th, for among the Naseby papers was the copy of a letter, so dated, in which the king alludes to it.—*Wellwood’s Memoirs by Masseres*, 66 & 294.

The hatred of the Scotch for Charles I. may not without reason be attributed in part to the havoc and pillage he brought upon their country by this inroad of the Irish and others, under Montrose.

The treaty of Uxbridge began on the 30th of January, 1645, and terminated on the 22nd of February.

upon this he (lord Antrim) seeing the duke of Ormond set against him, came over to London, and was lodged at Somerset House: and it was believed, that having no children he settled his estate on Jermyn then earl of St. Albans\*: but before he came away he had made a prior settlement in favour of his brother. He petitioned the king to order a committee of council to examine the warrants that he had acted upon. The earl of Clarendon was for rejecting the petition, as containing a high indignity to the memory of king Charles the first: and said plainly at council table, that if any person had pretended to affirm such a thing while they were at Oxford he would either have been severely punished for it, or the king would soon have had a very thin court. But it seemed just to see what he had to say for himself: so a committee was named, of which the earl of Northumberland was the chief. He produced to them some of the king's letters: but they did not come up to a full proof. In one of them the king wrote, that he had not then leisure, but referred himself to the queen's letter; and said, that was all one as if he had written himself. Upon this foundation he produced a series of letters written by himself to the queen, in which he gave her an account of every one of these particulars that were laid to his charge, and showed the grounds he went on, and desired her directions to every one of these: he had answers ordering him to do as he did. This the queen-mother espoused with great zeal; and said, she was bound in honour to save him. I saw a great deal of that management, for I was then at court. But it was generally believed, that this train of letters was made up at that time in a collusion between the queen and him: so a report was prepared to be signed by the committee, setting forth that he had so fully justified himself in every thing that had been objected to him, that he ought not to be excepted out of the indemnity. This was brought first to the earl of Northumberland to be signed by him; but he refused it, and said, he was sorry he had produced such warrants, but he did not think they could serve his turn; for he did not believe any warrant from the king or queen could justify so much bloodshed, in so many black instances as were laid against him. Upon his refusal the rest of the committee did not think fit to sign the report; so it was let fall: and the king was prevailed on to write to the duke of Ormond, telling him, that he had so vindicated himself, that he must endeavour to get him to be included in the indemnity. That was done; and was no small reproach to the king, that did thus sacrifice his father's honour to his mother's importunity. Upon this the earl of Essex told me, that he had taken all the pains he could to inquire into the original of the Irish massacre, but could never see any reason to believe the king had any accession to it. He did indeed believe that the queen harkened to the propositions made by the Irish, who undertook to take the government of Ireland into their hands, which they thought they could easily perform: and then, they said, they would assist the king to subdue the hot spirits at Westminster. With this the plot of the insurrection began; and all the Irish believed the queen encouraged it. But in the first design there was no thought of a massacre: that came in head as they were laying the methods of executing it: so, as those were managed by the priests, they were the chief men that set on the Irish to all the blood and cruelty that followed.

I know nothing in particular of the sequel of the war, nor of all the confusions that happened till the murder of king Charles the first: only one passage I had from lieutenant-general Drummond, afterwards lord Strathallan. He served on the king's side; but he had many friends among those who were for the covenant; so the king's affairs being now ruined, he was recommended to Cromwell, being then in a treaty with the Spanish Ambassador, who was negotiating for some regiments to be levied and sent over from Scotland to Flanders: he happened to be with Cromwell when the commissioners sent from Scotland to protest against the putting the king to death came to argue the matter with him. Cromwell bade Drummond stay and hear their conference, which he did. They began in a heavy languid style to lay indeed great load on the king: but they still insisted on that clause in the covenant, by which they swore they would be faithful in the preservation of his Majesty's person. With this they showed upon what terms Scotland, as well as the two houses, had engaged in the war; and what solemn declarations of their zeal and duty to the king they

\* If as was then generally believed, the earl of St. Albans was married to the queen dowager, this was a powerful mode to secure her interest in his favour, and seems to have succeeded.



all along published; which would now appear, to the scandal and reproach of the christian name, to have been false pretences, if, when the king was in their power, they should proceed to extremities. Upon this Cromwell entered into a long discourse of the nature of the regal power, according to the principles of Mariana and Buchanan: he thought a breach of trust in a king ought to be punished more than any other crime whatsoever: he said as to their covenant, they swore to the preservation of the king's person in defence of the true religion: if then it appeared that the settlement of the true religion was obstructed by the king, so that they could not come at it but by putting him out of the way, then their oath could not bind them to the preserving him any longer. He said also, their covenant did bind them to bring all malignants, incendiaries, and enemies to the cause, to condign punishment: and was not this to be executed impartially? What were all those on whom public justice had been done, especially those who suffered for joining with Montrose, but small offenders, acting by commission from the king, who was, therefore, the principal, and so the most guilty? Drummond said, Cromwell had plainly the better of them at their own weapon, and upon their own principles. At this time presbytery was at its height in Scotland.

In summer, 1648, when the parliament declared they would engage to rescue the king from his imprisonment, and the parliament of England from the force it was put under by the army, the nobility went into the design, all except six or eight. The king had signed an engagement to make good his offers to the nation of the northern counties, with the other conditions formerly mentioned: and particular favours were promised to every one that concurred in it. The marquis of Argyle gave it out that the Hamiltons, let them pretend what they would, had no sincere intentions to their cause, but had engaged to serve the king on his own terms: he filled the preachers with such jealousies of this, that though all the demands that they made for the security of their cause, and in declaring the grounds of the war, were complied with, yet they could not be satisfied, but still said the Hamiltons were in a confederacy with the malignants in England, and did not intend to stand to what they promised. The General Assembly declared against it, as an unlawful confederacy with the enemies of God, and called it the Unlawful Engagement, which came to be the name commonly given to it in all their pulpits. They every where preached against it, and opposed the levies all they could by solemn denunciations of the wrath and curse of God on all concerned in them. This was a strange piece of opposition to the state, little inferior to what was pretended to and put in practice by the church of Rome.

The south-west counties of Scotland have seldom corn enough to serve them round the year: and the northern parts producing more than they need, those in the west come in the summer to buy at Leith the stores that come from the north: and from a word, *whiggam*, used in driving their horses, all that drove were called the *whiggamors*, and shorter the *whiggs*. Now in that year, after the news came down of duke Hamilton's defeat, the ministers animated their people to rise, and march to Edinburgh: and they came up marching on the head of their parishes, with an unheard-of fury, praying and preaching all the way as they came. The marquis of Argyle and his party came and headed them, they being about 6000. This was called the whiggamors' inroad: and ever after that all that opposed the court came in contempt to be called *whiggs*: and from Scotland the word was brought into England, where it is now one of our unhappy terms of distinction.

The committee of their estates, with the force they had in their hands, could easily have dissipated this undisciplined herd. But they knowing their own weakness sent to Cromwell desiring his assistance. Upon that the committee saw they could not stand before him: so they came to a treaty and delivered up the government to this new body. Upon their assuming it, they declared all who had served or assisted in the engagement incapable of any employment, till they had first satisfied the kirk of the truth of their repentance, and made public professions of it. All churches were upon that full of mock penitents, some making their acknowledgments all in tears, to gain more credit with the new party. The earl of Lowdun, that was chancellor, had entered into solemn promises both to the king and the Hamiltons: but when he came to Scotland, his wife, a high covenanting, and an heiress, by whom he had both honour and estate, threatened him, if he went on that way, with a process of adultery, in which she could have had very copious proofs: he durst not stand this,

and so compounded the matter, by the deserting his friends, and turning over to the other side : of which he made public profession in the church of Edinburgh with many tears, confessing his weakness in yielding to the temptation of what had a show of honour and loyalty, for which he expressed a hearty sorrow. Those that came in early with great shows of compunction got easier off : but those who stood out long found it a harder matter to make their peace. Cromwell came down to Scotland, and saw the new modes fully settled.

During his absence from the scene, the treaty of the Isle of Wight was set on foot by the parliament, who seeing the army at such a distance took this occasion of treating with the king. Sir Henry Vane, and others who were for a change of government, had no mind to treat any more. But both city and country were so desirous of a personal treaty, that it could not be resisted. Vane, Pierpoint, and some others, went to the treaty on purpose to delay matters till the army could be brought up to London. All that wished well to the treaty prayed the king at their first coming to despatch the business with all possible haste, and to grant the first day all that he could bring himself to grant on the last. Hollis and Grimstone told me, they had both on their knees begged this of the king. They said they knew Vane would study to draw out the treaty to a great length : and he, who declared for an unbounded liberty of conscience, would try to gain on the king's party by the offer of a toleration for the common prayer and the episcopal clergy. His design in that was to gain time, till Cromwell should settle Scotland and the north. But they said, if the king would frankly come in without the formality of papers backward and forward, and send them back next day with the concessions that were absolutely necessary, they did not doubt but he should in a very few days be brought up with honour, freedom, and safety to the parliament, and that matters should be brought to a present settlement. Titus, who was then much trusted by the king, and employed in a negotiation with the presbyterian party, told me he had spoken often and earnestly to him in the same strain : but the king could not come to a resolution : and he still fancied, that in the struggle between the House of Commons and the army, both saw they needed him so much to give them the superior strength, that he imagined by balancing them he would bring both sides into a greater dependence on himself, and force them to better terms. In this Vane flattered the episcopal party to the king's ruin as well as their own. But they still hated the presbyterians as the first authors of the war ; and seemed unwilling to think well of them, or to be beholden to them. Thus the treaty went on with a fatal slowness : and by the time it was come to some maturity, Cromwell came up with his army and overturned all.

Upon this I will set down what sir Harbottle Grimstone told me a few weeks before his death. Whether it was done at this time, or the year before, I cannot tell : I rather believe the latter. When the House of Commons and the army were quarrelling, at a meeting of the officers, it was proposed to purge the army better, that they might know whom to depend on. Cromwell upon that said, he was sure of the army ; but there was another body that had more need of purging, naming the House of Commons, and he thought the army only could do that. Two officers that were present brought an account of this to Grimston, who carried them with him to the lobby of the House of Commons, they being resolved to justify it to the House. There was another debate then on foot : but Grimstone diverted it, and said, he had a matter of privilege of the highest sort to lay before them : it was about the being and freedom of the house. So he charged Cromwell with the design of putting a force on the house : he had his witnesses at the door, and desired they might be examined : they were brought to the bar, and justified all that they had said to him, and gave a full relation of all that had passed at their meetings. When they withdrew, Cromwell fell down on his knees, and made a solemn prayer to God, attesting his innocence, and his zeal for the service of the house : he submitted himself to the providence of God, who it seems thought fit to exercise him with calumny and slander, but he committed his cause to him : this he did with great vehemence, and with many tears. After this strange and bold preamble, he made so long a speech, justifying both himself and the rest of the officers, except a few that seemed inclined to return back to Egypt, that he wearied out the house, and wrought so much on his party, that what the witnesses had said was so little believed, that, had it been moved, Grimstone thought that both he and they would have been sent to the Tower. But

whether their guilt made them modest, or that they had no mind to have the matter much talked of, they let it fall : and there was no strength on the other side to carry it farther. To complete the scene, as soon as ever Cromwell got out of the house, he resolved to trust himself no more among them ; but went to the army, and in a few days he brought them up, and forced a great many from the house.

I had much discourse on this head with one who knew Cromwell well and all that set of men ; and asked him how they could excuse all the prevarications, and other ill things, of which they were visibly guilty in the conduct of their affairs. He told me, they believed there were great occasions in which some men were called to great services, and in the doing of which they were excused from the common rules of morality : such were the practices of Ehud and Jael, Samson and David : and by this they fancied they had a privilege from observing the standing rules. It is very obvious how far this principle may be carried, and how all justice and mercy may be laid aside on this pretence by every bold enthusiast. Ludlow, in his memoirs, justifies this force put on the parliament, as much as he condemns the force that Cromwell and the army afterwards put on the house : and he seems to lay this down for a maxim, that the military power ought always to be subject to the civil : and yet, without any sort of resentment for what he had done, he owns the share he had in the force put on the parliament at this time. The plain reconciling of this is, that he thought when the army judged the parliament was in the wrong they might use violence, but not otherwise : which gives the army a superior authority, and an inspection into the proceedings of the parliament. This shows how impossible it is to set up a commonwealth in England : for that cannot be brought about but by a military force : and they will ever keep the parliament in subjection to them, and so keep up their own authority.

I will leave all that relates to the king's trial and death to common historians, knowing nothing that is particular of that great transaction, which was certainly one of the most amazing scenes in history. Ireton was the person that drove it on : for Cromwell was all the while in some suspense about it. Ireton had the principles and the temper of a Cassius in him : he stuck at nothing that might have turned England to a commonwealth : and he found out Cook and Bradshaw, two bold lawyers, as proper instruments for managing it. Fairfax was much distracted in his mind, and changed purposes often every day. The presbyterians and the body of the city were much against it, and were every where fasting and praying for the king's preservation. There were not above 8000 of the army about the town : but these were selected out of the whole army, as the most engaged in enthusiasm : and they were kept at prayer in their way almost day and night, except when they were upon duty : so that they were wrought up to a pitch of fury, that struck a terror into all people. On the other hand the king's party was without spirit : and, as many of themselves have said to me, they could never believe his death was really intended, till it was too late. They thought all was a pageantry to strike a terror, and to force the king to such concessions as they had a mind to extort from him.

The king himself showed a calm and a composed firmness, which amazed all people ; and that so much the more because it was not natural to him. It was imputed to a very extraordinary measure of supernatural assistance. Bishop Juxon did the duty of his function honestly, but with a dry coldness that could not raise the king's thoughts : so that it was owing wholly to somewhat within himself that he went through so many indignities with so much true greatness, without disorder or any sort of affectation \*. Thus he died greater than he had lived ; and

\* Although Dr. Juxon's fervour in prayer and spiritual consolation was not sufficiently animated to please our author, yet his temperament, his manner, and his character, collectively rendered him, above all other ecclesiastics, the man most desired as his attendant by the royal sufferer.

Juxon was a man of inflexible integrity, and Charles told sir Philip Warwick, "I never got his opinion freely in my life ; but when I had it, I was ever the better for it." (Warwick's Memoirs, 96.) When the others of the privy councillors basely advised the king to sign the warrant for the earl of Strafford's execution, or pusillanimously declined advising at all, Juxon alone dared to act right, and told his majesty unreservedly, "if he was not satisfied in

his conscience, he ought not to do it, whatsoever happened." (Whitelock's Memorials, 44.) Charles had bitterly felt the pangs of useless regret that he had not adopted this advice. Loving the man for his unimpeached virtues, the king requested that he might attend him in the final preparation for death. When this request was granted, his majesty declared it was "no small refreshing to his spirit." The most simple and authentic detail of the bishop's intercourse with the king during the last few days of his life, and of all the events of that deeply interesting period, is to be read in Wood's *Athenæ Oxoniensis*, being the narrative given by Mr. Thomas Herbert, his majesty's personal attendant at the time. Dr. Burnet, from the passage in



showed, that which has often been observed of the whole race of the Stuarts, that they bore misfortunes better than prosperity. His reign both in peace and war was a continual series of errors : so that it does not appear that he had a true judgment of things. He was out of measure set on following his humour, but unreasonably feeble to those whom he trusted, chiefly to the queen. He had too high a notion of the regal power, and thought that every opposition to it was rebellion. He minded little things too much, and was more concerned in the drawing of a paper than in fighting a battle. He had a firm aversion to popery, but was much inclined to a middle way between protestants and papists, by which he lost the one without gaining the other. His engaging the duke of Rohan in the war of Rochelle, and then assisting him so poorly, and forsaking him at last, gave an ill character of him to all the protestants abroad. The earl of Lauderdale told me the duke of Rohan was at Geneva, where he himself was, when he received a very long letter, or rather a little book, from my father, which gave him a copious account of the beginning of the troubles in Scotland. He translated it to the duke of Rohan, who expressed a vehement indignation at the court of England for their usage of him : of which this was the account he then gave.

The duke of Buckingham had a secret conversation with the queen of France, of which the queen-mother was very jealous, and possessed the king with such a sense of it that he was ordered immediately to leave the court. Upon his return to England under this affront, he possessed the king with such a hatred of that court, that the queen was ill-used on her coming over, and all her servants were sent back \*. He told him also that the protestants were so ill-used, and so strong, that if he would protect them they would involve that kingdom in new wars ; which he represented as so glorious a beginning of his reign, that the king without weighing the consequence of it sent one to treat with the duke of Rohan about it. Great assistance was promised by sea : so a war was resolved on, in which the share that our court had is well enough known. But the infamous part was, that Richlieu got the king of France to make his queen write an obliging letter to the duke of Buckingham, assuring him that, if he would let Rochelle fall without assisting it, he should have leave to come over, and should settle the whole matter of the religion according to their edicts. This was a strange proceeding : but cardinal Richlieu could turn that weak king as he pleased. Upon this the duke made that shameful campaign of the Isle of Rhe. But finding next winter that he was not to be suffered to go over into France, and that he was abused into a false hope, he resolved to have followed that matter with more vigour, when he was stabbed by Felton.

the text above, and from another slight notice of Juxon, evidently did not admire him, although he says nothing to his discredit. All other authorities speak decidedly in his praise, and Mr. Grainger only epitomises their commendations when he says "The mildness of his temper, the gentleness of his manners, and the integrity of his life, gained him universal esteem. Even the haters of prelacy could never hate Juxon." He died in 1663, aged 81. Sir Philip Warwick, his contemporary and acquaintance, says, "he was of a meek spirit, and of a solid, steady judgment. Having addicted his first studies to the civil law (from which he took his title of doctor, though he afterwards took on him the ministry), this fitted him the more for secular and state affairs. His temper and prudence wrought so upon all men, that although he had the two most invidious characters, both in the ecclesiastical and civil state—being a bishop and lord treasurer—yet neither drew envy on him, though the humour of the times tended to brand all great men in employment."—(*Warwick's Memoirs*, 93—96.)

\* It is certainly not the fact that the queen was ill used upon her first coming over, for she was attended to England by Buckingham, with all the customary magnificence and ceremony. Charles himself met her at Canterbury. As to the reason of the queen's female attendants being dismissed, an event that did not occur until they had been here twelve months, it probably was founded upon state considerations. This country was then on the eve of war with France, and it might very justly be

considered impolitic to allow priests and others attached to the interests of that country to be in such intimate intercourse with our court. The misbehaviour of some of them was the plea for dismissing them. Sir Hamond L'Estrange, who was a contemporary, says, on the evening of the 1st of July, 1626, the king, attended by the duke of Buckingham, the earls of Holland and Carlisle, and other officers, came to Somerset House, whither all the queen's servants had been summoned previously. His majesty thus addressed them :—"Ladies and gentlemen, I am driven to that extremity, that I am come to acquaint you I very earnestly desire your return to France. True it is the deportment of some of you hath been very inoffensive to me ; but others again have so dallied with my patience, and so highly affronted me, that I cannot, I will not longer endure it." The bishop of Mende and Madame St. George inquired whether they were the offenders ; but the king departed without any other reply than "I name none." The queen was very importunate to have them permitted to stay ; but this was not permitted, and, after having more than their salaries paid to them, they were all sent back to France. L'Estrange declares that the queen's confessor having made her walk bare-foot from Somerset House to St. James's, and Madame St. George having caused the queen to be jealous of his majesty, were the causes of this dismissal. The continuer of Baker's Chronicle repeats this story, but it is grossly improbable.—*L'Estrange's Reign of Charles I.*, 58.

There is another story told of the king's conduct during the peaceable part of his reign, which I had from Halewyn of Dort, who was one of the judges in the court of Holland, and was the wisest and greatest man I knew among them. He told me, he had it from his father, who being then the chief man of Dort was of the States, and had the secret communicated to him. When Isabella Clara Eugenia grew old, and began to decline, a great many of her council apprehending what miseries they would fall under, when they should be again in the hands of the Spaniards, formed a design of making themselves a free commonwealth, that, in imitation of the union among the cantons of Switzerland that were of both religions, there should be a perpetual confederacy between them and the States of the seven provinces. This they communicated to Henry Frederick prince of Orange, and to some of the States, who approved of it, but thought it necessary to engage the king of England in it. The prince of Orange told the English ambassador, that there was a matter of great consequence that was fit to be laid before the king; but it was of such a nature, and such persons were concerned in it, that it could not be communicated, unless the king would be pleased to promise absolute secrecy for the present. This the king did: and then the prince of Orange sent him the whole scheme. The secret was ill kept: either the king trusted it to some who discovered it, or the paper was stolen from him: for it was sent over to the court of Brussels. One of the ministry lost his head for it: and some took the alarm so quickly that they got to Holland out of danger. After this the prince of Orange had no commerce with our court, and often lamented that so great a design was so unhappily lost. He had as ill an opinion of the king's conduct of the war; for when the queen came over, and brought some of the generals with her, the prince said, after he had talked with them, (as the late king told me,) he did not wonder to see the affairs of England decline as they did, since he had talked with the king's generals.

I will not enter farther into the military part: for I remember an advice of Marshal Schomberg's, never to meddle in the relation of military matters. He said, some affected to relate those affairs in all the terms of war, in which they committed great errors, that exposed them to the scorn of all commanders, who must despise relations that pretend to an exactness when there were blunders in every part of them.

In the king's death the ill effect of extreme violent counsels discovered itself. Ireton hoped that by this all men concerned in it would become irreconcilable to monarchy, and would act as desperate men, and destroy all that might revenge that blood. But this had a very different effect. Something of the same nature had happened in lower instances before: but they were not the wiser for it. The earl of Strafford's death made all his former errors be forgotten: it raised his character, and cast a lasting odium on that way of proceeding; whereas he had sunk in his credit by any censure lower than death, and had been little pitied, if not thought justly punished. The like effect followed upon Archbishop Laud's death. He was a learned, a sincere and zealous man, regular in his own life, and humble in his private deportment; but was a hot, indiscreet man, eagerly pursuing some matters that were either very inconsiderable or mischievous, such as setting the communion table by the east walls of churches, bowing to it, and calling it the altar, the suppressing the Walloons' privileges, the breaking of lectures, the encouraging of sports on the Lord's day, with some other things that were of no value: and yet all the zeal and heat of that time was laid out on these. His severity in the star-chamber and in the high commission court, but above all his violent and indeed inexcusable injustice in the prosecution of bishop Williams, were such visible blemishes, that nothing but the putting him to death in so unjust a manner could have raised his character; which indeed it did to a degree of setting him up as a pattern, and the establishing all his notions as standards, by which judgments are to be made of men whether they are true to the church or not. His diary, though it was a base thing to publish it, represents him as an abject fawner on the duke of Buckingham, and as a superstitious regarder of dreams: his defence of himself, written with so much care when he was in the Tower, is a very mean performance. He intended in that to make an appeal to the world. In most particulars he excuses himself by this, that he was but one of many, who either in council, star-chamber, or high commission, voted illegal things. Now though this was true, yet a chief minister, and one in high favour, determines the rest so much, that they are

generally little better than machines acted by him. On other occasions he says, the thing was proved but by one witness. Now, how strong soever this defence may be in law, it is of no force in an appeal to the world; for if a thing is true, it is no matter how full or how defective the proof is. The thing that gave me the strongest prejudice against him in that book is, that after he had seen the ill effects of his violent counsels, and had been so long shut up, and so long at leisure to reflect on what had passed in the hurry of passion, in the exaltation of his prosperity, he does not in any one part of that great work acknowledge his own errors, nor mix in it any wise or pious reflections on the ill usage he met with or the unhappy steps he had made: so that while his enemies did really magnify him by their inhuman prosecution, his friends Heylin and Wharton have as much lessened him, the one by writing his life, and the other by publishing his vindication of himself.

But the recoiling of cruel counsels on the authors of them never appeared more eminently than in the death of king Charles the first, whose serious and christian deportment in it made all his former errors be entirely forgotten, and raised a compassionate regard to him, that drew a lasting hatred on the actors, and was the true occasion of the great turn of the nation in the year 1660. This was much heightened by the publishing of his book called *Eikon Basilike*, which was universally believed to be his own: and that coming out soon after his death had the greatest run, in many impressions, that any book has had in our age. There was in it a nobleness and justness of thought with a greatness of style, that made it to be looked on as the best-written book in the English language: and the piety of the prayers made all people cry out against the murder of a prince, who thought so seriously of all his affairs in his secret meditations before God. I was bred up with a high veneration of this book: and I remember that, when I heard how some denied it to be his, I asked the earl of Lothian about it, who both knew the king very well and loved him little: he seemed confident it was his own work; for he said, he had heard him say a great many of those very periods that he found in that book. Being thus confirmed in that persuasion, I was not a little surprised, when in the year 1673, in which I had a great share of favour and free conversation with the then duke of York, afterwards king James the second, as he suffered me to talk very freely to him about matters of religion, and as I was urging him with somewhat out of his father's book, he told me that book was not of his father's writing, and that the letter to the prince of Wales was never brought to him. He said, Dr. Gauden wrote it: after the restoration he brought the duke of Somerset and the earl of Southampton both to the king and to himself, who affirmed that they knew it was his writing; and that it was carried down by the earl of Southampton, and showed the king during the treaty of Newport, who read it, and approved of it as containing his sense of things. Upon this he told me, that though Sheldon and the other bishops opposed Gauden's promotion because he had taken the covenant, yet the merits of that service carried it for him, notwithstanding the opposition made to it. There has been a great deal of disputing about this book: some are so zealous for maintaining it to be the king's, that they think a man false to the church that doubts it to be his: yet the evidence since that time brought to the contrary has been so strong, that I must leave that under the same uncertainty under which I found it. Only this is certain, that Gauden never wrote any thing with that force, his other writings being such, that no man from a likeness of style would think him capable of writing so extraordinary a book as that is\*.

\* Of the effect produced upon the public mind by the "*Eikon Basilike*," Burnet gives not at all an exaggerated account. A contemporary stated as his opinion that if it had appeared a few weeks earlier, the regicides would not have dared to conduct Charles to the scaffold. It had such an influence in winning favour to the royal cause, that Cromwell considered it essentially necessary that an answer to it should be published. He selected Selden for the execution of this task, and is said to have applied to him personally, and by their mutual friends, to persuade him to the undertaking. He unhesitatingly declined, and the reply, entitled, "*Iconoclastes*," was eventually written by the poet Milton. (*Memoirs of Selden*, 343.) Who was the author of the "*Eikon Basilike*?" is a ques-

tion to which no positive reply can be given, but the evidence certainly preponderates in favour of Dr. Gauden's claim to that merit. The objection that the earl of Lothian had heard the king express the same sentiments in the same terms that are in that celebrated work, amounts to no evidence that he wrote it, for Dr. Gauden may have heard the same, and recited them to writing. To say that the doctor never wrote any other work equal to this is only saying what may be said of all other authors—all of them have a masterpiece. But on the other hand, Mr. Todd has shown a close similarity in his style and modes of expression. Giving these objections the utmost weight to which they can be entitled as arguments from probabilities, they yet are nothing compared to



Upon the king's death the Scots proclaimed his son king, and sent over Sir George Win- cam, that married my great aunt, to treat with him while he was in the isle of Jersey. The

the direct declaration of James II., who says, that the duke of Somerset and the earl of Southampton brought Dr. Gauden to him and to Charles II. for promotion, on the ground that he was the author; the earl declaring that he took the manuscript from Dr. Gauden to Charles I. for his approval, which he gave\*. Mr. Higgins, in opposition to this, observes, that both James II. and Charles II. authorised the book to be published in editions of their father's works. To which we may rejoin that, as they knew it contained his sentiments, and had his approval, they might do so without any immoral concealment of the truth; the concealment was for no ill purpose; at the worst it threw a halo of merit round the dead, and would assist in checking the recurrence of hasty revolutions. As the subject is still interesting, relative works by Dr. Wordsworth, Mr. Todd, and Mr. Broughton, having within these few years been published, this note may be lengthened to lay the conflicting evidence collectively before the reader.

The direct testimony sustaining the claim of Dr. Gauden is as follows:—Dr. Walker, in his "True Account of the Author of a Book, entitled 'Eikon Basilike,'" published in 1692, states that he knows it was, with the exception of two chapters, contributed by Dr. Duppa, composed by Dr. Gauden; he says that the latter showed him the titles of several of the chapters, and allowed him to peruse and pass his opinion upon the appended discourses. That he accompanied the author to Dr. Duppa's to fetch some of the manuscript that the latter had been allowed to read; and that Dr. Gauden told Dr. Walker that Dr. Duppa had promised to write two chapters (which are the 16th and 24th) on the ordinance against the Common Prayer Book, and on the refusal to permit the king's chaplains to attend him. After the king's execution, Dr. Walker asked Dr. Gauden whether the king had ever seen the book, to which he replied, "I know it certainly no more than you, but I used my best endeavours that he might, for I delivered a copy of it to the marquis of Hertford, when he went to the treaty at the Isle of Wight, and entreated his lordship, if he could obtain any private opportunity, he would deliver it to his majesty, and humbly desire to know his majesty's pleasure concerning it. But the violence which threatened the king hastening so fast, he ventured to print it, and never knew what was the issue of sending it. For when the thing was done, he judged it not prudent to make inquiry about it." "I cannot positively and certainly say, that the king (Charles II.) knew I wrote it, because he was never pleased to take express notice of it to me. But I take it for granted he doth, for I am sure the duke of York doth, for he hath spoken of it to me, and owned it as a seasonable and acceptable service." Dr. Walker adds, that the wife and son of Dr. Gauden, and Mr. Gifford, who, he believes, wrote the copy sent to the king in the Isle of Wight, always spoke of it as being his composition. Lastly, the doctor says, that he was the agent employed to get the concluding part of the manuscript into the hands of Mr. Royston, the printer, to prevent the latter knowing the author.

In 1686, when Mr. Milington sold by auction the library of the earl of Anglesea, among other books disposed of was a copy of the "Eikon Basilike," in which the earl had written, "King Charles the Second and the duke of York did both (in the last sessions of parliament, 1675, when I showed them in the Lords' house the written copy of this book, wherein are some corrections and alterations, written

\* Mrs. Gauden and others say it was the Marquis of Hertford.

with the late king Charles the first's own hand) assure me that this was none of the said king's compiling, but made by Dr. Gauden, which I here insert for the undeceiving others in this point, by attesting under my hand."—"ANGLESEY." (*Dr. Walker's True Account, 2nd ed.*)

When Mrs. Gauden died she left the family papers to her son John, and from him they came to his brother Charles. The sister of the latter's wife was married to a Mr. Arthur North, a very respectable merchant, living in 1699 on Tower Hill, and into his possession they eventually came as manager of his sister-in-law's affairs. They contained further testimony that Dr. Gauden was the author of the "Eikon Basilike." 1st. There was a narrative in the hand-writing of the bishop's widow positively asserting it as the truth. She says that when her husband had written it he showed it to Lord Capel, who recommended it to be shown to the king; to effect this the bishop applied to the marquis of Hertford, who reported that bishop Duppa having read part of the work to the king, the latter much approved of it, but wished the title to be altered; but what became of the manuscript the marquis could not tell. Dr. Gauden according to his widow, afterwards added the Essay on his Majesty being denied the attendance of his chaplains, and the Meditation upon Death. The bishop employed Mr. Simmonds to convey the manuscript to Mr. Royston, the printer, who never knew that the king was not the author. With many other particulars, Mrs. Gauden adds that Charles the Second was equally unacquainted with the real author until her husband told him.

2ndly, there were among the same papers a letter from secretary Nicholas to Dr. Gauden; a copy of one from the latter to lord-chancellor Clarendon; another from him to the duke of York; and a letter from Clarendon to Dr. Gauden, all relating to the same subject, and adding, in various degrees, attestation to the doctor's being the real author.—(*Toland's Amyntor.*)

In testimony that Charles the first was the actual author of the work, we have the following narrative:—That among the Naseby papers there was a copy of the Icon Basilike, and that major Huntingdon, by the permission of sir Thomas Fairfax, restored it to the king when he was at Hampton Court; but major Huntingdon told Dr. Walker that whatever papers he saw in the king's possession he was totally ignorant of their contents. It is at the same time to be observed, that it is very improbable that Fairfax did not send up the whole of the Naseby papers to the parliament. But it must not be omitted to be stated that sir William Dugdale relates that major Huntingdon told him very particularly that the book was bound in white vellum, and that though the heads of the chapters were in the writing of sir Edward Walker, corrected and interlined by the king, yet the prayers were entirely in the hand-writing of the latter. —(*Dugdale's Short View of the late Trouble.*)

Mr. Levet, a page of the back stairs, attested positively that he had seen the book at the Isle of Wight, and had often observed his majesty "writing his royal resentments of the bold and insolent behaviour of the soldiers." This is direct evidence, but there are no such reflections in the "Eikon Basilike."

Mr. Royston affirmed that he had his orders from the king to print the work, to make alterations, &c. But this does not contradict the testimony of Mrs. Gauden, &c., for they state that the printer never knew to the contrary. Mr. Barry declared that sir William Morton told him that the king once gave him a sheet of paper on which to

king entered into a negotiation with them, and sent him back with general assurances of consenting to every reasonable proposition that they should send him. He named the Hague for the place of treaty, he being to go thither in a few days. So the Scots sent over commissioners, the chief of whom were the earls of Cassilis and Lothian; the former of these was my first wife's father, a man of great virtue and of a considerable degree of good understanding: he was so sincere, that he would suffer no man to take his words in any other sense than as he meant them: he adhered firmly to his instructions, but with so much candour, that king Charles retained very kind impressions of it to his life's end. The man then in the greatest favour with the king was the duke of Buckingham: he was wholly turned to mirth and pleasure: he had the art of turning persons or things into ridicule beyond any man of the age: he possessed the young king with very ill principles, both as to religion and morality, and with a very mean opinion of his father, whose stiffness was with him a frequent subject of raillery. He prevailed with the king to enter into a treaty with the Scots, though that was vehemently opposed by almost all the rest that were about him, who pressed him to adhere steadily to his father's maxims and example \*

write a despatch, having a passage previously written upon it, that is in the *Eikon Basilike*. This was read by him in the hurry of the war, and was immediately returned by him to the king; yet when he was an old man, he could repeat the very words. A witness may shew too good a memory.

The widow of Mr. Symonds attested that she saw some of the manuscript of the *Eikon Basilike* in the possession of her husband; and he told her that it was written by the king. This is very weak evidence, because no man being employed to sustain that deception, would say otherwise if interrogated.

A Mr. Allen told Mr. Le Pla, who informed Dr. Goodall that Dr. Gauden told him that he had borrowed the book, and that he, Allen, sat up with him all one night whilst he copied it. Granting this to be perfectly accurate, Dr. Gauden might rationally make such a representation to preserve the secret. I shall not proceed to detail the secondary evidence, the comparison of Dr. Gauden's style and language contained in his acknowledged works with that in the "*Eikon Basilike*;" the testimony of the Marquis of Hertford, of James the Second, Charles the Second, &c., nor yet to estimate at length the comparative weight of conflicting testimony, but whoever will do so, as I have done by perusing the chief works that might have been published upon the subject, will, perhaps be similarly convinced that the preponderance of testimony and of argument is most decidedly in favour of Dr. Gauden. So clear does it appear to me, that I consider there would not be a doubt on the mind of a jury to whom it might be submitted—it is, in fact, clear decisive evidence, met principally by that which is hearsay. It is true that, in the former there are some discrepancies, but they are such as confirm rather than shake the combined testimony, for it is conclusive that there was no collusion among the witnesses, that they were not the mere repeaters of a prepared story. The variations amount to no more than will be found in all human testimony, substantial truth with circumstantial variety. Those who wish to examine for themselves may read the following works:—

#### FOR CHARLES.

Boswell's Life of Berwick.  
Wagstaffe's Vindication of Charles.  
Sir W. Dugdale's Short Account.  
Wordsworth's Letters to the Archbishop of Canterbury.  
Nicholl's Life of Bowyer.  
Burton on the genuineness of Clarendon's History.  
Young's "Several Evidences concerning the author of *Eikon Basilike*."

#### FOR GAUDEN.

Walker's True Account of the Author of *Eikon Basilike*.  
Toland's Life of Milton and Awynton.

Broughton's Letter touching the Question, Who was the Author of *Eikon Basilike*?

Todd's Bishop Gauden the Author.

The claim and evidences of Bishop Gauden, being the author of the *Eikon Basilike*, were first published by Mr. Edmund Ludlow, in an essay entitled "Truth brought to Light." This appeared in the year 1693.

Bishop Kennett in his Register and Chronicle vainly endeavours to reconcile the conflicting evidence by supposing that the king's MSS. being placed in the hands of Mr. Symonds for publication, the latter, when pursued by the Cromwell party, put them into the custody of Dr. Gauden, who finally, with the aid of Dr. Duppa, enlarged and prepared the work for the press, as it finally appeared. —(Kennett's Register and Chronicle, 774, 642.)

\* This George Villiers, Duke of Buckingham, was the son of him who died by the knife of Felton; a death which, if justifiable, he merited even more than his father. A more unprincipled profligate never existed. He killed the Duke of Shrewsbury in a duel, and passed the night with the duchess in the shirt stained by her husband's blood! In his resentments no course was too desperate; he caballed to subvert the government when dissatisfied with the court — and hired Blood to seize the duke of Ormond with whom he was in enmity. He was Protean in his character—he was an alchemist—a musician—a poet—a statesman—a wit—a dramatist—a mimic—this last qualification aided him to conduct himself with the consummate hypocrisy for which he was celebrated. Clarendon gives him the character with which Burnet agrees. That nobleman in his autobiography says, "That Buckingham had a mortal hatred with the Lady Castlemaine, and when in the king's displeasure, which he frequently was, he forbore going to the court, and revenged himself upon it by all the merry tales he could tell of what was done there. It cannot be imagined, considering the loose life he led, a life more by night than by day, in all the liberties that nature could desire or wit invent, how great an influence he had in both houses of parliament. His quality and condescensions, the pleasantness of his humour and conversation, the extravagance and sharpness of his wit, unrestrained by any modesty or religion, drew persons of all affections and inclinations to like his company, and to believe that the levities and vanities would be wrought off by age." In this expectation they were mistaken, his libertinism was adhered to until his death. He died miserably, aged sixty, of a fever

When the king came to the Hague, William duke of Hamilton and the earl of Lauderdale, who had left Scotland, entered into a great measure of favour and confidence with him. The marquis of Montrose came likewise to him, and undertook if he would follow his counsels to restore him to his kingdoms by main force: but when the king desired the prince of Orange to examine the methods which he proposed, he entertained him with a recital of his own performances and of the credit he was in among the people; and said, the whole nation would rise if he went over, though accompanied only with a page. He desired of the king nothing but power to act in his name, with a supply in money, and a letter recommending him to the king of Denmark for a ship to carry him over, and for such arms as he could spare. With that the king gave him the garter. He got first to Orkney, and from thence into the highlands of Scotland; but could perform nothing of what he had undertaken. At last he was betrayed by one of those to whom he trusted himself, Macklound of Assin, and was brought over a prisoner to Edinburgh. He was carried through the streets with all the infamy that brutal men could contrive: and in a few days he was hanged on a very high gibbet: and his head and quarters were set up in divers places of the kingdom. His behaviour under all that barbarous usage was as great and firm to the last, looking on all that was done to him with a noble scorn, as the fury of his enemies was black and universally detested. This cruelty raised a horror in all sober people against those who could insult over such a man in misfortunes. The triumphs that the preachers made on this occasion rendered them odious, and made lord Montrose to be both more pitied and lamented, than otherwise he could have been\*. This happened while the Scotch commissioners were treating with the

brought on by violent exercise, in an obscure house at Kirby Moorside, in Yorkshire. This was in 1687. "His wit," Clarendon says, "was exercised with most licence against the church, the law, and the court;" of those but few sallies remain on record; but that which he exercised against the stage in his "Rehearsal," still obtains applause.

Dryden has recorded his character, and Pope his death-bed, in some of their severest satires. The duke had satirised the former as "Bayes" in his farce of "The Rehearsal;" and in return Dryden thus describes him as Zimri in *Abalom* and *Achitophel*.—

"A man so various that he seemed to be  
Not one, but all mankind's epitome:  
Stiff in opinions, always in the wrong;  
Was every thing by starts, and nothing long;  
But in the course of one revolving moon  
Was chemist, fiddler, statesman and buffoon;  
Then all for women, painting, rhyming, drinking,  
Besides ten thousand freaks that died in thinking.

In squandering wealth was his peculiar art:  
Nothing went unrewarded, but desert;  
Beggard by fools, whom still he found too late;  
He had his jest, and they had his estate.  
He laughed himself from Court; then sought relief  
By forming parties, but could ne'er be chief;  
Thus, wicked but in will, of means bereft,  
He left not faction, but of that was left."

Pope, in his "Epistle to Lord Bathurst," thus strikingly sketches the concluding scene of this profligate's life.

"In the worst inn's worst room, with mat half hung,  
The floors of plaster, and the walls of dung,  
On once a flock-bed, but repair'd with straw,  
With tape-ty'd curtains, never meant to draw,  
The George and Garter dangling from that bed  
Where tawdry yellow strove with dirty red,  
Great Villiers lies—Alas! how chang'd from him,  
That life of pleasure, and that soul of whim!  
Gallant and gay, in Cliveden's proud alcove  
The bower of wanton Shrewsbury and love;  
Or just as gay, at council, in a ring  
Of mimic'd statesmen, and their merry king.

No wit to flatter, left of all his store!

No fool to laugh at, which he valued more.

There, victor of his health, of fortune, friends,

And fame, this lord of useless thousands ends."

\* James Graham, Marquis of Montrose, was one of the bravest officers that add lustre to our national history. Granting that he relied too much upon his influence with his countrymen, yet this detracts nothing from the merit of his courage—for it is a merit to be morally courageous. He believed it to be for the interest of his sovereign to engage in the two Scottish expeditions, of which he appeared as the leader; and he obeyed the dictates of duty against such fearful odds, as have but few if any parallels in history. Clarendon, with whom he was not on the most friendly footing, speaks of him highly and justly. "Montrose was in his nature fearless of danger, and never declined any enterprise for the difficulty of going through with it, but exceedingly affected those which seemed desperate to other men, and did believe somewhat to be in himself above other men, which made him live more easily towards those who were, or were willing to be, inferior to him (towards whom he exercised wonderful civility and generosity) than with his superiors or equals. He was naturally jealous, and suspected those who did not concur with him in the way, not to mean so well as he. He was not without vanity, but his virtues were much superior, and he well deserved to have his memory preserved and celebrated among the most illustrious persons of the age in which he lived."—(*Hist. of Rebellion*, iii. 275, fol. ed.)

The name of his betrayer, his treacherous acquaintance and professed friend, Lord Assin or Aston, deserves to be held as eternally infamous. Montrose died as might be anticipated, with courage and magnanimity, professing his loyalty and piety. To detail the circumstances of his execution would be revolting. One particular, however, requires explanation. Clarendon says that just before the termination of his sufferings, "the hangman brought the book that had been published of his heroic actions, whilst he had commanded in that kingdom, which book was tied in a small cord that was put about his neck. The marquis smiled at this new instance of their malice, and thanked them for it, saying 'he was pleased that it should be there; and was prouder of wearing it than ever he had



king at the Hague. The violent party in Scotland were for breaking off the treaty upon it, though by the date of lord Montrose's commission it appeared to have been granted before the treaty was begun: but it was carried not to recall their commissioners: nor could the king on the other hand be prevailed on by his own court to send them away, upon this cruelty to a man who had acted by his commission, and yet was so used. The treaty was quickly concluded: the king was in no condition to struggle with them, but yielded to all their demands, of taking the covenant, and suffering none to be about him but such as took it. He sailed home to Scotland with some Dutch men of war, with which the prince of Orange furnished him, with all the stock of money and arms that his credit could raise. That indeed would not have been very great, if the prince of Orange had not joined his own to it. The duke of Hamilton and the earl of Lauderdale were suffered to go home with him: but soon after his landing an order came to put them from him. The king complained of this: but Duke Hamilton at parting told him, he must prepare for things of a harder digestion: he said, at present he could do him no service: the marquis of Argyle was then in absolute credit: therefore he desired that he would study to gain him, and give him no cause of jealousy on his account. This king Charles told me himself, as a part of duke Hamilton's character. The duke of Buckingham took all the ways possible to gain lord Argyle and the ministers: only his dissolute course of life was excessive scandalous; which to their great reproach they connived at, because he advised the king to put himself wholly into their hands. The king wrought himself into as grave a deportment as he could: he heard many prayers and sermons, some of a great length. I remember in one fast day there were six sermons preached without intermission. I was there myself, and not a little weary of so tedious a service. The king was not allowed so much as to walk abroad on Sundays: and if at any time there had been any gaiety at court, such as dancing or playing at cards, he was severely reproved for it. This was managed with so much rigour, and so little discretion, that it contributed not a little to beget in him an aversion to all sort of strictness in religion. All that had acted on his father's side were ordered to keep at a great distance from him, and because the common people showed some affection to the king, the crowds that pressed to see him were also kept off from coming about him. Cromwell was not idle; but seeing the Scots were calling home their king, and knowing that from thence he might expect an invasion into England, he resolved to prevent them, and so marched into Scotland with his army. The Scots brought together a very good army: the king was suffered to come once to see it, but not to stay in it; for they were afraid he might gain too much upon the soldiers; so he was sent away.

The army was indeed one of the best that ever Scotland had brought together; but it was ill commanded: for all that had made defection from their cause, or that were thought indifferent as to either side, which they called detestable neutrality, were put out of commission. The preachers thought it an army of saints, and seemed well assured of success. They drew near Cromwell, who being pressed by them retired towards Dunbar, where his ships and provisions lay. The Scots followed him, and were posted on a hill about a mile from thence, where there was no attacking them. Cromwell was then in great distress, and looked on himself as undone. There was no marching towards Berwick, the ground was too narrow: nor could he come back into the country without being separated from his ships, and starving his army. The least evil seemed to be to kill his horses, and put his army on board, and sail back to Newcastle; which, in the disposition that England was in at that time, would have been all their destruction, for it would have occasioned an universal insurrection for the king. They had not above three days' forage for their horses. So Cromwell called his officers to a day of seeking the Lord, in their style. He loved to talk much of that matter all his life

been of the garter.'" The little octavo volume alluded to is of very rare occurrence. The title-page is as follows:—

"J. G. De rebus auspiciis serenissimi et potentissimi Caroli Dei gratia Magnæ Britannię regis, &c. sub imperio illustrissimi Jacobi Montisrosarum Marchionis, &c. Supremi Scotiæ Gubernatoris CCCCXLIV et duobus sequentibus præclare gestis, Commentarius. Interprete A. S." It was published at Paris in 1648. The initials J. G. are

those of its hero (Jacobus Græmus), as A. S. are of Agricola Sophocardius, the latinised name of the author, George Wisheart, or Wishart, a clergyman who eventually became Bishop of Edinburgh. The work is distinguished for the purity and elegance of its latinity as much as for its rarity. Its English translations are to be met with more frequently.

Montrose was executed in 1650

long afterwards : he said, he felt such an enlargement of heart in prayer, and such quiet upon it, that he bade all about him take heart, for God had certainly heard them, and would appear for them. After prayer they walked in the earl of Roxburgh's gardens that lay under the hill : and by prospective glasses they discerned a great motion in the Scottish camp : upon which Cromwell said, " God is delivering them into our hands, they are coming down to us." Lesley was in the chief command : but he had a committee of the states to give him his orders, among whom Waristoun was one. These were weary of lying in the fields, and thought that Lesley made not haste enough to destroy those sectaries ; for so they came to call them. He told them, by lying there all was sure ; but that by engaging in action with gallant and desperate men all might be lost : yet they still called on him to fall on. Many have thought that all this was treachery done on design to deliver up our army to Cromwell ; some laying it upon Lesley, and others upon my uncle. I am persuaded there was no treachery in it : only Waristoun was too hot, and Lesley was too cold, and yielded too easily to their humours, which he ought not to have done. They were all the night employed in coming down the hill : and in the morning, before they were put in order, Cromwell fell upon them. Two regiments stood their ground, and were almost all killed in their ranks : the rest did run in a most shameful manner : so that both their artillery and baggage were lost, and with these a great many prisoners were taken, some thousands in all\*. Cromwell upon this advanced to Edinburgh, where he was received without any opposition : and the castle that might have made a long resistance did capitulate. So all the southern part of Scotland came under contribution to Cromwell. Stirling was the advanced garrison on the king's side. He himself retired to St. Johnstoun. A parliament was called that sat for some time at Stirling, and for some time at St. Johnstoun, in which a full indemnity was passed, not in the language of a pardon but of an act of approbation : only all that joined with Cromwell were declared traitors. But now the way of raising a new army was to be thought on.

A question had been proposed both to the committee of states and to the commissioners of the kirk, whether in this extremity those who had made defection, or had been hitherto too backward in the work, might not upon the profession of their repentance be received into public trust, and admitted to serve in the defence of their country. To this answers were distinctly given by two resolutions : the one was, that they ought to be admitted to make profession of their repentance : and the other was, that after such professions made they might be received to defend and serve their country.

Upon this a great division followed in the kirk : those who adhered to these resolutions were called the *Public Resolutioners* : but against these some of those bodies protested, and they, together with those who adhered to them, were called the *Protestors*. On the one hand it was said, that every government might call out all that were under its protection to

\* Cromwell, in his letter announcing the victory, confesses that, previous to the engagement, the Scotch had every advantage. In numbers they were 22,000, opposed to only 11,000 English, and they had " gathered towards the hills, having in this posture a great advantage." " The enemy's word was '*The Covenant*,' ours '*The Lord of Hosts*.' Before our foot could come up, the enemy made a gallant resistance, and there was a very hot dispute at sword's point between our horse and theirs. Our first foot, after they had discharged their duty, being overpowered by the enemy, received some repulse, which they soon recovered : but my own regiment did come seasonably in ; and, at the push of pike, did repel the stoutest regiment the enemy had there, merely with the courage the Lord was pleased to give, which proved a great amazement to the residue of their foot. This being the first action between the foot, the horse, in the mean time, did, with a great deal of courage and spirit, beat back all opposition, charging through the bodies of the enemy's horse and foot ; who were, after the first repulse given, made, by the Lord of Hosts, as stubble to their swords." About 8000 were slain, nearly 10,000 taken prisoners, all the baggage, 30 cannon, 15,000 arms, and 200 colours. The

English army lost about 20 men. The slaughter was in rout and pursuit over eight miles. Cromwell concludes with a great abundance of misplaced religious reflections. —(Parliament History, xix. 346, &c.) Clarendon gives a similar relation, adding that " the foot depended much upon their preachers, who preached, and prayed, and assured them of victory till the English were upon them ; and some of them were knocked on the head whilst they were promising the victory." It would never be believed that the army, so dreadfully cut to pieces, was fighting to place Charles the Second on the English throne, if Clarendon's description of its destruction alone recorded the event. He very calmly observes, " Never victory was attended with less lamentations—the king was glad of it, as the greatest happiness that could befall him, in the loss of so strong a body of his enemies, who, if they should have prevailed, his majesty did believe they would have shut him up in a prison the next day ; which had been only a stricter confinement than he suffered already : for the lord Lorn being captain of his guard, had so watchful a care of him both night and day, that his majesty could not go any whither without his leave."—(*Hist. of Rebellion*, iii. 294, fol. ed.)

its defence: this seemed founded on the law of nature and of nations: and, if men had been misled, it was a strange cruelty to deny room for repentance: this was contrary to the nature of God and to the Gospel, and was a likely mean to drive them to despair: therefore after two years' time it seemed reasonable to allow them to serve according to their birthright in parliament, or in other hereditary offices, or in the army; from all which they had been excluded by an act made in the year 1649, which ranged them in different classes, and was from thence called "the act of classes." But the Protestors objected against all this, that to take in men of known enmity to the cause was a sort of betraying it, because it was the putting it in their power to betray it; that to admit them into a profession of repentance was a profanation, and a mocking of God: it was visible, they were willing to comply with these terms, though against their conscience, only to get into the army: nor could they expect a blessing from God on an army so constituted. And as to this particular they had great advantage; for this mock penitence was indeed a matter of great scandal. When these resolutions were passed with this protestation, a great many of the five western counties, Clydesdale, Renfrew, Ayr, Galloway and Nithsdale, met, and formed an association apart, both against the army of sectaries, and against this new defection in the kirk party. They drew a remonstrance against all the proceedings in the treaty with the king, when, as they said, it was visible by the commission he granted to Montrose, that his heart was not sincere: and they were also against the tendering him the covenant, when they had reason to believe he took it not with a resolution to maintain it, since his whole deportment and private conversation showed a secret enmity to the work of God: and, after an invidious enumeration of many particulars, they imputed the shameful defeat at Dunbar to their prevaricating in these things; and concluded with a desire, that the king might be excluded from any share in the administration of the government, and that his cause might be put out of the state of the quarrel with the army of the sectaries. This was brought to the committee of the states at St. Johnstoun, and was severely inveighed against by sir Thomas Nicholson, the king's advocate, or attorney general, there, who had been till then a zealous man of their party: but he had lately married my sister, and my father had great influence on him. He prevailed so, that the remonstrance was condemned as divisive, factious, and scandalous: but that the people might not be too much moved with these things, a declaration was prepared to be set out by the king for the satisfying of them. In it there were many hard things. The king owned the sin of his father in marrying into an idolatrous family: he acknowledged the bloodshed in the late wars lay at his father's door: he expressed a deep sense of his own ill education, and the prejudices he had drunk in against the cause of God, of which he was now very sensible: he confessed all the former parts of his life to have been a course of enmity to the work of God: he repented of his commission to Montrose, and of every thing he had done that gave offence: and with solemn protestations he affirmed, that he was now sincere in his declaration, and that he would adhere to it to the end of his life in Scotland, England, and Ireland.

The king was very uneasy when this was brought to him. He said, he could never look his mother in the face if he passed it. But when he was told it was necessary for his affairs, he resolved to swallow the pill without farther chewing it. So it was published, but had no good effect; for neither side believed him sincere in it. It was thought a strange imposition to make him load his father's memory in such a manner. But, while the king was thus beset with the high and more moderate kirk parties, the old cavaliers sent to him, offering that if he would cast himself into their hands they would meet him near Dundee with a great body. Upon this the king, growing weary of the sad life he led, made his escape in the night, and came to the place appointed: but it was a vain undertaking; for he was met by a very inconsiderable body at Clova, the place of rendezvous. Those at St. Johnstoun being troubled at this, sent Colonel Montgomery after him, who came up and pressed him to return very rudely: so the king came back. But this had a very good effect. The government saw now the danger of using him ill, which might provoke him to desperate courses: after that, he was used as well as that kingdom in so ill a state was capable of. He saw the necessity of courting the marquis of Argyle, and therefore made him great offers: at last he



talked of marrying his daughter. Lord Argyle was cold and backward: he saw the king's heart lay not to him: so he looked on all offers, but as so many snares. His son, the lord Lorn, was captain of the guards; and he made his court more dexterously, for he brought all persons that the king had a mind to speak with at all hours to him, and was in all respects not only faithful but zealous. Yet this was suspected as a collusion between the father and the son. The king was crowned on the first of January: and there he again renewed the covenant: and now all people were admitted to come to him, and to serve in the army. The two armies lay peaceably in their winter quarters. But when the summer came on, a body of the English passed the Frith, and landed in Fife. So the king, having got up all the forces he had expected, resolved on a march into England. Scotland could not maintain another year's war. This was a desperate resolution: but there was nothing else to be done.

I will not pursue the relation of the march to Worcester, nor the total defeat given the king's army on the third of September, the same day in which Dunbar fight had been fought the year before. These things are so well known, as is also the king's escape, that I can add nothing to the common relations that have been over and over made of them\*. At the same time that Cromwell followed the king into England, he left Monk in Scotland with an army sufficient to reduce the rest of the kingdom. The town of Dundee made a rash and ill-considered resistance: it was after a few days' siege taken by storm: much blood was shed, and the town was severely plundered: no other place made any resistance. I remember well of three regiments coming to Aberdeen. There was an order and discipline, and a face of gravity and piety among them, that amazed all people. Most of them were Independents and Anabaptists: they were all gifted men, and preached as they were moved. But they never disturbed the public assemblies in the churches but once. They came and reproached the preachers for laying things to their charge that were false. I was then present: the debate grew very fierce: at last they drew their swords, but there was no hurt done: yet Cromwell displaced the governor for not punishing this.

When the low-countries in Scotland were thus reduced, some of the more zealous of the nobility went to the Highlands in the year 1653. The earl of Glencairn, a grave and sober man, got the tribe of the Macdonalds to declare for the king. To these the lord Lorn came with about a thousand men: but the jealousy of the father made the son be suspected. The marquis of Argyle had retired into his country when the king marched into England; and did not submit to Monk till the year 52. Then he received a garrison; but lord Lorn surprised a ship that was sent about with provisions to it, which helped to support their little ill-formed army. Many gentlemen came to them; and almost all the good horses of the kingdom were stolen, and carried up to them. They made a body of about 3000: of these they had about 500 horse. They endured great hardships; for those parts were not fit to entertain men that had been accustomed to live softly. The earl of Glencairn had almost spoiled all; for he took much upon him: and upon some suspicion he ordered lord Lorn to be clapt up, who had notice of it, and prevented it by an escape: otherwise they had fallen to cut one another's throats, instead of marching to the enemy. The earl of Balcarras, a virtuous and knowing man, but somewhat morose in his humour, went also among them. They differed in their counsels: lord Glencairn was for falling into the low-countries: and he began to fancy he should be another Montrose. Balcarras on the other hand was for keeping in their fastnesses: they made a show of a body for the king, which they were to keep up in

\* The hair-breadth escapes that Charles had, are related at length in Clarendon's History of the Rebellion; and in a volume published in 1725, called "Boscobel, or a complete History of the most miraculous preservation of king Charles the Second after the battle of Worcester." These are both very faithful narratives. The battle was fought on the 3rd of September, the very day on which the same troops were defeated at Dunbar in the previous year: this was always considered by Cromwell his propitious day, which accounts for the hurried manner in which he brought on the action. If he had waited for

regular movements, the attack must have been postponed until the following morning. It was a remarkable coincidence that it was on the 3rd of September Cromwell died. Charles had no chance to win at Worcester, he was outnumbered and outgeneralled. His troops were dispirited, and his officers disunited. Lesley was jealous of Middleton; and the duke of Buckingham, young, inexperienced in war, and profligate as he was, yet pressed to be made commander-in-chief over them both!—*Clarendon, Hist. of the Rebellion.*

some reputation as long as they could, till they could see what assistance the king might be able to procure them from beyond sea of men, money, and arms; whereas if they went out of those fast grounds, they could not hope to stand before such a veteran and well-disciplined army as Monk had; and if they met with the least check, their tumultuary body would soon melt away.

Among others one sir Robert Murray, that had married lord Balcarras's sister, came among them; he had served in France, where he had got into such a degree of favour with cardinal Richelieu, that few strangers were ever so much considered by him as he was. He was raised to be a colonel there, and came over for recruits when the king was with the Scotch army at Newcastle. There he grew into high favour with the king, and laid a design for his escape, of which I have given an account in duke Hamilton's memoirs: he was the most universally beloved and esteemed by men of all sides and sorts, of any man I have ever known in my whole life. He was a pious man, and in the midst of armies and courts he spent many hours a day in devotion. He had gone through the easy parts of mathematics, and knew the history of nature beyond any man I ever yet knew. He had a genius much like Peiriski, as he is described by Gassendi. He was afterwards the first former of the Royal Society, and its first president; and while he lived he was the life and soul of that body. He had an equality of temper in him that nothing could alter; and was in practice the only Stoic I ever knew. He had a great tincture of one of their principles; for he was much for absolute decrees. He had a most diffused love to all mankind, and he delighted in every occasion of doing good, which he managed with great discretion and zeal. He had a superiority of genius and comprehension to most men: and had the plainest, but with all the softest, way of reproving, chiefly young people, for their faults that I ever met with. Sir Robert Murray was in such credit in that little army, that lord Glencairn took a strange course to break it, and to ruin him. A letter was pretended to be found at Antwerp, as written by him to William Murray of the bed-chamber, that had been whipping-boy to king Charles the first, and upon that had grown up to a degree of favour and confidence that was very particular: he had a lewd creature there, whom he turned off: and she, to be revenged on him, framed this plot against him. This ill-forged letter gave an account of a bargain sir Robert had made with Monk for killing the king, which was to be executed by Mr. Murray: so he prayed him in his letter to make haste and despatch it. This was brought to the earl of Glencairn: so sir Robert was severely questioned upon it, and put in arrest: and it was spread about through a rude army that he intended to kill the king, hoping it seems that some of these wild people believing it would have fallen upon him without using any forms. Upon this occasion sir Robert practised in a very eminent manner his true christian philosophy, without showing so much as a cloud in his whole behaviour.

The earl of Balcarras left the Highlands, and went to the king; and showed him the necessity of sending a military man to command that body, to whom they would submit more willingly than to any of the nobility. Middletoun was sent over, who was a gallant man and a good officer: he had first served on the parliament's side; but he turned over to the king, and was taken at Worcester fight, but made his escape out of the Tower. He, upon his coming over, did for some time lay the heats that were among the Highlanders, and made as much of that face of an army for another year as was possible.

Drummond was sent by him to Paris with an invitation to the king to come among them; for they had assurances sent them, that the whole nation was in a disposition to rise with them: and England was beginning to grow weary of their new government, the army and the parliament being on ill terms. The English were also engaged in a war with the States: and the Dutch upon that account might be inclined to assist the king to give a diversion to their enemies' forces. Drummond told me, that upon his coming to Paris he was called to the little council that was then about the king: and when he had delivered his message, chancellor Hyde asked him, how the king would be accommodated if he came among them: he answered, not so well as was fitting, but they would all take care of him to furnish him with every thing that was necessary. He wondered that the king did not check the chancellor in his demand; for he said, it looked strange to him, that when they were hazarding

their lives to help him to a crown, he should be concerned for accommodation. He was sent back with good words and a few kind letters. In the end of the year 1654 Morgan marched into the Highlands, and had a small engagement with Middletoun, which broke that whole matter, of which all people were grown weary; for they had no prospect of success, and the low-countries were so over-run with robberies on the pretence of going to assist the Highlanders, that there was an universal joy at the dispersing of that little unruly army.

After this the country was kept in great order: some castles in the Highlands had garrisons put in them, that were so careful in their discipline, and so exact to their rules, that in no time the Highlands were kept in better order than during the usurpation. There was a considerable force of about 7 or 8000 men kept in Scotland: these were paid exactly, and strictly disciplined. The pay of the army brought so much money into the kingdom, that it continued all that while in a very flourishing state. Cromwell built three citadels at Leith, Ayr, and Inverness, besides many little forts. There was good justice done, and vice was suppressed and punished; so that we always reckon those eight years of usurpation a time of great peace and prosperity. There was also a sort of union of the three kingdoms in one parliament, where Scotland had its representative. The marquis of Argyle went up one of our commissioners.

The next scene I must open relates to the church, and the heats raised in it by the public resolutions, and the protestation made against them. New occasions of dispute arose. A general assembly was in course to meet; and sat at St. Andrews: so the commission of the kirk wrote a circular letter to all the presbyteries, setting forth all the grounds of their resolutions, and complaining of those who had protested against them; upon which they desired that they would choose none of those who adhered to the protestation to represent them in the next assembly. This was only an advice, and had been frequently practised in the former years: but now it was highly complained of, as a limitation on the freedom of elections, which inferred a nullity on all their proceedings: so the protestors renewed their protestation against the meeting upon a higher point, disowning that authority which hitherto they had magnified as the highest tribunal in the church, in which they thought Christ was in his throne. Upon this a great debate followed, and many books were written in a course of several years. The public men said, this was the destroying of presbytery, if the lesser number did not submit to the greater: it was a sort of prelacy, if it was pretended that votes ought rather to be weighed than counted: parity was the essence of their constitution: and in this all people saw they had clearly the better of the argument. The protestors urged for themselves, that, since all protestants rejected the pretence of infallibility, the major part of the church might fall into errors, in which case the lesser number could not be bound to submit to them: they complained of the many corrupt clergymen who were yet among them, who were leavened with the old leaven, and did on all occasions show what was still at heart notwithstanding all their outward compliance: (for the episcopal clergy that had gone into the covenant and presbytery to hold their livings, struck in with great heat to inflame the controversy: and it appeared very visibly that presbytery, if not held in order by the civil power, could not be long kept in quiet:) if in the Supreme Court of Judicature the majority did not conclude the matter, it was not possible to keep up their beloved parity: it was confessed that in doctrinal points the lesser number was not bound to submit to the greater; but in the matters of mere government it was impossible to maintain the presbyterian form on any other bottom.

As this debate grew hot, and they were ready to break out into censures on both sides, some were sent down from the commonwealth of England to settle Scotland: of these sir Henry Vane was one. The resolutioners were known to have been more in the king's interest: so they were not so kindly looked on as the protestors. Some of the English junta moved, that pains should be taken to unite the two parties. But Vane opposed this with much zeal: he said, would they heal the wound that they had given themselves, which weakened them so much? The setting them at quiet could have no other effect, but to heal and unite them in their opposition to their authority: he therefore moved, that they might be left at liberty to fight out their own quarrels, and be kept in a greater dependence on the



temporal authority, when both sides were forced to make their appeal to it : so it was resolved to suffer them to meet still in their presbyteries and synods, but not in general assemblies, which had a greater face of union and authority.

This advice was followed : so the division went on. Both sides studied when any church became vacant to get a man of their own party to be chosen to succeed in the election : and upon these occasions many tumults happened : in some of them stones were thrown, and many were wounded, to the great scandal of religion. In all these disputes the protestors were the fiercer side : for being less in number they studied to make that up with their fury. In one point they had the other at a great advantage, with relation to their new masters, who required them to give over praying for the king. The protestors were weary of doing it, and submitted very readily : but the others stood out longer ; and said, it was a duty lying on them by the covenant, so they could not let it fall. Upon that the English council set out an order, that such as should continue to pray for the king should be denied the help of law to recover their tithes, or as they called them their stipends. This touched them in a sensible point : but, that they might not seem to act upon the civil authority, they did enact it in their presbyteries, that since all duties did not oblige at all times, therefore, considering the present juncture, in which the king could not protect them, they resolved to discontinue that piece of duty. This exposed them to much censure, since such a carnal consideration as the force of law for their benefices, (which all regard but too much, though few will own it,) seemed to be that which determined them.

This great breach among them being rather encouraged than suppressed by those who were in power, all the methods imaginable were used by the protestors to raise their credit among the people. They preached often, and very long ; and seemed to carry their devotions to a greater sublimity than others did. Their constant topic was, the sad defection and corruption of the judicatories of the church, and they often proposed several expedients for purging it. The truth was, they were more active, and their performances were livelier, than those of the public men \*. They were in nothing more singular than in their communions. In many places the sacrament was discontinued for several years ; where they thought the magistracy, or the more eminent of the parish, were engaged in what they called the defection, which was much more looked at than scandal given by bad lives. But where the greatest part was more sound, they gave the sacrament with a new and unusual solemnity. On the Wednesday before they held a fast day with prayers and sermons for about eight or ten hours together : on the Saturday they had two or three preparation sermons ; and on the Lord's day they had so very many, that the action continued above twelve hours in some places ; and all ended with three or four sermons on Monday for thanksgiving. A great many ministers were brought together from several parts ; and high pretenders would have gone forty or fifty miles to a noted communion. The crowds were far beyond the capacity of their churches, or the reach of their voices : so at the same time they had sermons in two or three different places : and all was performed with great show of zeal. They had stories of many signal conversions that were wrought on these occasions.

It is scarce credible what an effect this had among the people, to how great a measure of knowledge they were brought, and how readily they could pray extempore, and talk of divine matters. All this tended to raise the credit of the protestors. The resolutioners tried to imitate them in these practices : but they were not thought so spiritual, nor so ready at them : so the others had the chief following. When the judicatories of the church were near an equality of the men of both sides, there were perpetual janglings among them : at last they proceeded to deprive men of both sides, as they were the majority in the judicatories : but because the possession of the church, and the benefice, was to depend on the orders of the temporal courts, both sides made their application to the privy council that Cromwell had set up in Scotland : and they were by them referred to Cromwell himself. So they sent deputies up to London. The protestors went in great numbers : they came nearer both to the principles and to the temper that prevailed in the army : so they were looked on as the better men, on whom, by reason of the first rise of the difference, the government

\* The meaning must be, by public men, those who acted pursuant to the resolutions of the general assemblies, in whom the public authority of the kirk was then vested by law.—(*Note by the Author's Son.*)

might more certainly depend: whereas the others were considered as more in the king's interests.

The resolutioners sent up one James Sharp, who had been long in England, and was an active and eager man: he had a very small proportion of learning, and was but an indifferent preacher: but having some acquaintance with the presbyterian ministers at London, whom Cromwell was then courting much, by reason of their credit in the city, he was, by an error that proved fatal to the whole party, sent up in their name to London; where he continued for some years soliciting their concerns, and making himself known to all sorts of people. He seemed more than ordinarily zealous for presbytery. And, as Cromwell was then designing to make himself king, Dr. Wilkins told me he often said to him, no temporal government could have a sure support without a national church that adhered to it, and he thought England was capable of no constitution but episcopacy, to which, he told me, he did not doubt but Cromwell would have turned, as soon as the design of his kingship was settled. Upon this Wilkins spoke to Sharp, that it was plain by their breach, that presbytery could not be managed so as to maintain order among them, and that an episcopacy must be brought in to settle them: but Sharp could not bear the discourse, and rejected it with horror\*. I have dwelt longer on this matter, and opened it more fully than was necessary, if I had not thought that this may have a good effect on the reader, and show him how impossible it is in a parity to maintain peace and order, if the magistrate does not interpose: and if he does, that will be cried out upon by the zealots of both sides, as abominable erastianism.

From these matters I go next to set down some particulars that I knew concerning Cromwell, that I have not yet seen in books. Some of these I had from the earls of Carlisle and Orrery: the one had been the captain of his guards; and the other had been the president of his council in Scotland. But he from whom I learned the most was Stoupe, a Grison by birth, then minister of the French church in the Savoy, and afterwards a brigadier-general in the French armies; a man of intrigue, but of no virtue; he adhered to the protestant religion as to outward appearance: he was much trusted by Cromwell in foreign affairs; in which Cromwell was often at a loss, and having no foreign language, but the little Latin that stuck to him from his education, which he spoke very viciously and scantily, had not the necessary means of informing himself.

When Cromwell first assumed the government, he had three great parties of the nation all against him, the episcopal, the presbyterian, and the republican party. The last was the most set on his ruin, looking on him as the person that had perfidiously broke the House of Commons, and was setting up for himself. He had none to rely on but the army; yet that enthusiastic temper, that he had taken so much pains to raise among them, made them very intractable: many of the chief officers were broken, and imprisoned by him; and he flattered the rest the best he could. He went on in his old way of long and dark discourses, sermons, and prayers. As to the cavalier party, he was afraid both of assassination and other plottings from them. As to the former of these he took a method that proved very effectual: he said often and openly, that in a war it was necessary to return upon any side all the violent things that any of the one side did to the other: this was done for preventing greater mischief, and for bringing men to fair war; therefore, he said, assassinations were such detestable things, that he would never begin them: but if any of the king's party should endeavour to assassinate him, and fail in it, he would make an assassinating war of it, and destroy the whole family: and he pretended he had instruments to execute it, whensoever he should give order for it. The terror of this was a better security to him than his guards.

The other as to their plottings was the more dangerous. But he understood that one sir Richard Willis was chancellor Hyde's chief confidant, to whom he wrote often, and to whom all the party submitted, looking on him as an able and wise man in whom they confided absolutely. So he found a way to talk with him: he said, he did not intend to hurt any of the party: his design was rather to save them from ruin: they were apt after their cups to

\* He soon after accepted the archbishopric of St. Andrews, and became one of the severest persecutors of the presbyterians.

"For renegadoes, who ne'er turn by halves,  
Are bound in conscience to be double knaves."

run into foolish and ill-concerted plots, which signified nothing but to ruin those who engaged in them : he knew they consulted him in every thing : all he desired of him was to know all their plots, that he might so disconcert them that none might ever suffer for them : if he clapt any of them up in prison, it should only be for a little time ; and they should be interrogated only about some trifling discourse, but never about the business they had been engaged in. He offered Willis whatever he would accept of, and to give it when or as he pleased. He durst not ask or take above 200*l.* a year. None was trusted with this but his secretary Thurloe, who was a very dexterous man at getting intelligence.

Thus Cromwell had all the king's party in a net. He let them dance in it at pleasure : and upon occasions clapt them up for a short while : but nothing was ever discovered that hurt any of them. In conclusion, after Cromwell's death, Willis continued to give notice of every thing to Thurloe. At last, when the plot was laid among the cavaliers for a general insurrection, the king was desired to come over to that which was to be raised in Sussex : he was to have landed near Chichester, all by Willis's management : and a snare was laid for him, in which he would probably have been caught, if Morland, Thurloe's under-secretary, who was a prying man, had not discovered the correspondence between his master and Willis, and warned the king of his danger. Yet it was not easy to persuade those who had trusted Willis so much, and who thought him faithful in all respects, to believe that he could be guilty of so black a treachery : so Morland's advertisement was looked on as an artifice to create jealousy. But he, to give a full conviction, observed where the secretary laid some letters of advice, on which he saw he relied most, and getting the key of that cabinet in his hand to seal a letter with a seal that hung to it, he took the impression of it in wax, and got a key to be made from it, by which he opened the cabinet, and sent over some of the most important of those letters. The hand was known, and this artful but black treachery was discovered ; so the design of the rising was laid aside. Sir George Booth having engaged at the same time to raise a body in Cheshire, two several messengers were sent to him to let him know the design could not be executed at the time appointed : but both these persons were suspected by some garrisons through which they must pass, as giving no good account of themselves in a time of jealousy, and were so long stopped, that they could not give him notice in time : so he very gallantly performed his part : but not being seconded he was soon crushed by Lambert. Thus Willis lost the merit of great and long services. This was one of Cromwell's masterpieces \*.

As for the presbyterians, they were so apprehensive of the fury of the commonwealth party, that they thought it a deliverance to be rescued out of their hands : many of the republicans began to profess deism : and almost all of them were for destroying all clergymen, and for breaking every thing that looked like the union of a national church. They were for pulling down the churches, for discharging the tithes, and for leaving religion free, as they called it, without either encouragement or restraint. Cromwell assured the presbyterians, he would maintain a public ministry with all due encouragement ; and he joined them in a commission with some independents, to be the triers of all those who were to be admitted to benefices. These disposed also of all the churches that were in the gift of the crown, of the bishops, and of the cathedral churches : so this softened them.

He studied to divide the commonwealth party among themselves, and to set the fifth-monarchy men and the enthusiasts against those who pretended to little or no religion, and acted only upon the principles of civil liberty ; such as Algernon Sidney, Henry Nevill, Martin, Wildman, and Harrington. The fifth-monarchy men seemed to be really on expectation every day when Christ should appear : John Goodwin headed these, who first brought in Armi-

\* Clarendon confirms the narrative of sir Richard Willis's treachery, in every particular. He had faithfully served the king's father, and had always met with his approbation, except in declining to be removed from the governorship of Newark to the command of the king's guard ; a refusal that Clarendon states enough to show would have been very excusable at any time but during such a civil contest as was then at its height. He was a gentleman of good family, high courage, and talented, both in civil and military affairs, and entirely unsuspected

by the king and his friends. The plans of the marquis of Ormond, and of others who favoured the royalist cause, were thwarted in ways that seemed inexplicable, suspicions were aroused, confidence was destroyed among the king's friends, and yet no open discovery of their plots was ever attempted. Willis must have bargained that no blood should be shed in consequence of his discoveries.—(*Hist. of Rebellion*, iii. 523, &c. fol. ed. ; *Sir Philip Warwick's Memoirs*. 288.)



nianism among the sectaries, for he was for liberty of all sorts. Cromwell hated that doctrine : for his beloved notion was, that once a child of God was always a child of God : now he had led a very strict life for above eight years together before the war : so he comforted himself much with his reflections on that time, and on the certainty of perseverance. But none of the preachers were so thorough paced for him, as to temporal matters, as Goodwin was ; for he not only justified the putting the king to death, but magnified it as the most glorious action men were capable of. He filled all people with such expectation of a glorious thousand years speedily to begin, that it looked like a madness possessing them.

It was no easy thing for Cromwell to satisfy those, when he took the power into his own hands ; since that looked like a step to kingship, which Goodwin had long represented as the great Anti-christ, that hindered Christ's being set on his throne. To these he said, and, as some have told me, with many tears, that he would rather have taken a shepherd's staff than the protectorship, since nothing was more contrary to his genius than a show of greatness : but he saw it was necessary at that time to keep the nation from falling into extreme disorder, and from becoming open to the common enemy : and, therefore, he only stepped in between the living and the dead, as he phrased it, in that interval, till God should direct them on what bottom they ought to settle : and he assured them, that then he would surrender the heavy load lying upon him, with a joy equal to the sorrow with which he was affected while under that show of dignity. To men of this stamp he would enter into the terms of their old equality, shutting the door, and making them sit down covered by him, to let them see how little he valued those distances, that for form sake he was bound to keep up with others. These discourses commonly ended in a long prayer. Thus with much ado, he managed the republican enthusiasts. The other republicans he called the heathens, and professed he could not so easily work upon them. He had some chaplains of all sorts : and he begun in his latter years to be gentler towards those of the church of England. They had their meetings in several places about London without any disturbance from him. In conclusion, even the papists courted him : and he with great dissimulation carried things with all sorts of people farther than was thought possible, considering the difficulties he met with in all his parliaments : but it was generally believed that his life and all his arts were exhausted at once, and that if he had lived much longer he could not have held things together.

The debates came on very high for setting up a king. All the lawyers, chiefly Glyn, Maynard, Fountain, and St. John, were vehemently for this. They said, no new government could be settled legally but by a king, who should pass bills for such a form as should be agreed on. Till then all they did was like building upon sand : still men were in danger of a revolution : and in that case all that had been done would be void of itself, as contrary to a law yet in being and not repealed. Till that was done, every man that had been concerned in the war, and in the blood that was shed, chiefly the king's, was still obnoxious : and no warrants could be pleaded, but what were founded on or approved of by a law passed by king, lords, and commons. They might agree to trust this king as much as they pleased, and to make his power determine as soon as they pleased, so that he should be a *felo de se*, and consent to an act, if need were, of extinguishing both name and thing for ever. And as no man's person was safe till that was done, so they said all the grants and sales that had been made were null and void : all men that had gathered or disposed of the public money were for ever accountable. In short, this point was made out beyond the possibility of answering it, except upon enthusiastic principles. But by that sort of men all this was called a mistrusting of God, and a trusting to the arm of flesh : they had gone out, as they said, in the simplicity of their hearts to fight the Lord's battles, to whom they had made the appeal : he had heard them and appeared for them, and now they could trust him no longer : they had pulled down monarchy with the monarch, and would they now build that up which they had destroyed ? They had solemnly vowed to God to be true to the commonwealth, without a king or kingship : and under that vow, as under a banner, they had fought and prevailed : but now they must be secure, and in order to that go back to Egypt : they thought it was rather a happiness that they were still under a legal danger : this might be a mean to make them more cautious and diligent : if kings were invaders of God's right, and usurpers upon men's liberties, why must they have recourse to such a wicked engine ? Upon these grounds they stood out : and

they looked on all that was offered about the limiting this king in his power, as the gilding the pill : the assertors of those laws that made it necessary to have a king, would no sooner have one, than they would bring forth out of the same store house all that related to the power and prerogative of this king : therefore they would not hearken to any thing that was offered on that head, but rejected it with scorn. Many of them began openly to say, if we must have a king in consequence of so much law as was alleged, why should we not rather have that king to whom the law certainly pointed, than any other ? The earl of Orrery told me, that, coming one day to Cromwell during those heats, and telling him he had been in the city all that day, Cromwell asked him what news he had heard there ? The other answered, that he was told he was in treaty with the king, who was to be restored and to marry his daughter. Cromwell expressing no indignation at this, lord Orrery said, in the state to which things were brought, he saw not a better expedient : they might bring him in on what terms they pleased : and Cromwell might retain the same authority he then had with less trouble. Cromwell answered, " the king can never forgive his father's blood." Orrery said, he was one of many that were concerned in that, but he would be alone in the merit of restoring him. Cromwell replied, he is so damnably debauched he would undo us all ; and so turned to another discourse without any emotion, which made Orrery conclude he had often thought of that expedient.

Before the day in which he refused the offer of the kingship that was made to him by the parliament, he had kept himself on such a reserve that no man knew what answer he would give. It was thought more likely he would accept of it : but that which determined him to the contrary was, that, when he went down in the morning to walk in St. James's Park, Fleetwood and Desborough were waiting for him : the one had married his daughter, and the other his sister. With these he entered into much discourse on the subject, and argued for it : he said, it was a tempting of God to expose so many worthy men to death and poverty, when there was a certain way to secure them. The others insisted still on the oaths they had taken. He said, these oaths were against the power and tyranny of kings, but not against the four letters that made the word king. In conclusion, they, believing from his discourse that he intended to accept of it, told him, they saw great confusions would follow on it : and as they could not serve him to set up the idol they had put down, and had sworn to keep down, so they would not engage in any thing against him, but would retire and look on. So they offered him their commissions, since they were resolved not to serve a king : he desired they would stay till they heard his answer. It was believed, that he, seeing two persons so near him ready to abandon him, concluded that many others would follow their example ; and therefore thought it was too bold a venture. So he refused it, but accepted of the continuance of his protectorship. Yet, if he had lived out the next winter, as the debates were to have been brought on again, so it was generally thought he would have accepted of the offer. And it is yet a question what the effect of that would have been. Some have thought it would have brought on a general settlement, since the law and the ancient government were again to take place : others have fancied just the contrary, that it would have engaged the army, so that they would either have deserted the service, or have revolted from him, and perhaps have killed him in the first fray of the tumult. I will not determine which of these would have most probably happened. In these debates some of the cavalier party, or rather their children, came to bear some share. They were then all zealous commonwealths-men, according to the directions sent them from those about the king. Their business was to oppose Cromwell on all his demands, and so to weaken him at home, and expose him abroad. When some of the other party took notice of this great change, from being the abettors of prerogative to become the patrons of liberty, they pretended their education in the court and their obligation to it had engaged them that way ; but now since that was out of doors, they had the common principles of human nature and the love of liberty in them. By this mean, as the old republicans assisted and protected them, so at the same time they strengthened the faction against Cromwell. But these very men at the restoration shook off this disguise, and reverted to their old principles for a high prerogative and absolute power. They said they were for liberty, when it was a mean to distress one who they thought had no right to govern ;

but when the government returned to its old channel, they were still as firm to all prerogative notions, and as great enemies to liberty as ever\*.

I go next to give an account of Cromwell's transactions with relation to foreign affairs. He laid it down for a maxim to spare no cost or charge in order to procure him intelligence. When he understood what dealers the Jews were every where in that trade that depends on news, the advancing money upon high or low interests in proportion to the risk they run, or

\* It appears probable, that the plan of raising Cromwell to the crown was supported by his enemies, as well as by some of his friends. The only plea urged by those who did not desire to establish a republic in the time of Charles I., and who yet opposed the government of this monarch, was that he infringed upon the liberties of the people, particularly upon the rights of parliament, and endeavoured to establish himself as an absolute king. I have elsewhere traced the progress of the civil struggle that ensued, a struggle that would probably have been longer shunned, and more temperately conducted by the partisans on each side, could they have foreseen that their course was leading to the tragedy of the high court of justice. An event among many others warning us to be temperate in our efforts for political change, and to beware who we unite with in striving for the desired reform. In that instance, a majority of the supporters of limited monarchy planted their forward footsteps by the side of the avowed republicans, and Hampden's motto was prophetic of the then determined fate of his party. *Nulla vestigia retrosum*. There was indeed no retreat, the tide of change swept on; and they in vain endeavoured to check its progress; one barrier of the constitution gave way after another, until not one remained—and then succeeded the next bitter experience that constitutions are not the easy creations of a party—a tyrant had been removed, for Charles was a tyrant, not the less dangerous for being amiable in private life, and interesting, from being magnanimous in his seasons of sorrow—but to him succeeded a series of tyrants—the rump, the council of state, the protector Cromwell, were all deserving of that epithet, for, however differing in abilities, they were all as despotic, and all guilty of acts, as regardless of the liberties of the people, as ever were perpetrated by Charles, in his haughtiest and sternest moods.

The temperate opponents of Charles I., therefore, were not inconsistent in endeavouring to restore the Stuarts to the throne. Even when the first Cromwell was in the zenith of his power, a deep under-plot was proceeding to obtain the restoration of the Stuart family. Open opposition of every kind, short of war, had been tried to prevent Cromwell obtaining supreme power, but he had the army to back him in his resolutions, and he had swept away all open opposition—he was king in every circumstance but the name. With the ignorant there is much in a mere name, and the friends of the Stuarts appear to have endeavoured to have availed themselves of this prejudice with consummate sagacity. They now endeavoured to persuade Cromwell to adopt the title of king. He was within a step of the trap, and was not saved from it by his own penetration.

It is not to be supposed that all who supported this measure were actuated by the same motive, for many, beyond a doubt, were its advocates in the hope of furthering their own ambition by such an event. Such a character was sir Christopher Pack who, when lord mayor of London in 1655, was knighted by Cromwell. He was very far from an immaculate character if the statements of some adverse annalists are to be credited. They charge him with embezzling the subscriptions raised for the relief of the Piedmont protestants; and with being a defaulter in his accounts as a commissioner of the excise. They add that Cromwell sheltered him from the con-

sequences of these crimes upon the condition that he proposed his assumption of the royal title to the House of Commons\*.

Pack now was one of the representatives of the city, and the wishes of the metropolis had then much greater weight than they have now.

This assertion is rendered more probable by the certainty since established, that not only secretary Thurloe, the sagacious and trusty adviser of the protector, but the family of the protector, and the protector himself, all favoured the measure†.

The resolution to petition Cromwell to assume the title of king was carried in the House of Commons by majorities more than doubling the number of those who opposed it. It was to have been proposed by Mr. Whitelocke, but he says, that not approving some of its passages, he declined the undertaking, and that "to gain honour," it was brought forward by sir Christopher‡.

The petition was presented to the protector on the 31st of March, 1657, and during more than five weeks he continued to hold protracted conferences with the committee the house had appointed to be its representatives. Members of that committee were Mr. Whitelocke and Lord Broghill§, both of whom were subsequently favoured by Charles II.; and of the others, the chief justices St. John and Glynn, sir Charles Wolseley, sir Richard Onslow, Mr. Lenthall, Mr. Nathaniel Fiennes, Colonel Philip, Mr. Jones, and Mr. Lisle, not one, except the last, had any concern in the condemnation of Charles I.; and even Mr. Lisle did not consent to this monarch's execution||. These then who persuaded Cromwell to become king were not the extreme opponents of the Stuarts: whether they intended to promote the restoration by this proposition cannot be now absolutely determined, but other authorities agree that none were forwarder in supporting it, than some who had always been reputed faithful to the king, and wished for his restoration, and that many of them thought this measure would promote it, for they believed that the army, and the whole nation, would then incline, rather to maintain a legitimate monarch, than one whose hypocrisy would by this means be rendered so glaring.¶

Numerous were the audiences between Cromwell and the committee—he was evidently willing to be convinced, and had actually announced his resolution to accede to the proposal to some of his friends; according to Wellwood the crown was actually made, and brought to Whitehall, when the army announcing to the parliament, that "they had hazarded their lives against monarchy, and were still ready to do so," was a hint that Cromwell thought it

\* Heath's Chronicle, 386. A Narrative of the late Parliament, by a friend of the Commonwealth, 17. Sir Christopher was summoned by Cromwell to sit among his peers, or, as they were termed, "the other house."—(*Thurloe's State Papers*, &c.)

† Thurloe's State Papers, vi. 281, 292, 310. Whitelock's Memorials, 646. Ludlow's Memoirs, ii. 583, &c. Wellwood's Memoirs, by Massey, 102.

‡ Memorials, 647.

§ Afterwards earl of Orrery.

|| Parl. Hist. xxi. 65—95.

¶ Clarendon's Hist. of Rebel. iii., 461, fol. ed. Morrice's Memoirs of Roger Earl of Orrery, cap. 5.



the gain to be made as the times might turn, and in the buying and selling of the actions of money so advanced, he, more upon that account than in compliance with the principle of toleration, brought a company of them over to England, and gave them leave to build a synagogue. All the while that he was negotiating this, they were sure and good spies for him, especially with relation to Spain and Portugal. The earl of Orrery told me, he was once walking with him in one of the galleries of Whitehall, and a man almost in rags came in view. he presently dismissed lord Orrery, and carried that man into his closet; who brought him an account of a great sum of money that the Spaniards were sending over to pay their army in Flanders, but in a Dutch man of war: and he told him the places of the ship in which the money was lodged. Cromwell sent an express immediately to Smith, afterwards sir Jeremy Smith, who lay in the Downs, telling him that within a day or two, such a Dutch ship would pass the Channel, whom he must visit for the Spanish money, which was contraband goods, we being then in war with Spain. So when the ship passed by Dover, Smith sent and demanded leave to search him. The Dutch captain answered, none but his masters might search him. Smith sent him word, he had set up an hour-glass, and if before that was run out he did not submit to the search, he would force it. The captain saw it was in vain to struggle, and so all the money was found. Next time that Cromwell saw Orrery he told him, he had his intelligence from that contemptible man he saw him go to some days before. He had on all occasions very good intelligence: he knew every thing that passed in the king's little court: and yet none of his spies were discovered, but one only.

The greatest difficulty on him in his foreign affairs was, what side to choose, France or Spain. The prince of Conde was then in the Netherlands with a great many protestants about him. He set the Spaniards on making great steps towards the gaining Cromwell into their interests. Spain ordered their ambassador to compliment him: he was esteemed one of their ablest men: his name was Don Alonzo de Cardenas: he offered that if Cromwell would join with them, they would engage themselves to make no peace till he should recover

dangerous to neglect, and he then finally announced, that "he could not undertake the government with the title of *King*." The army, he it observed, did not perceive his despotism under the title of Lord Protector.

The same year gave birth to another plan for the restoration of the Stuart family, by uniting it to that of Cromwell. Lord Broghill was equally in favour with both families, and though he continued to serve under the latter, there is no doubt he would rather have acted under a duly hereditary monarchy, and that he continued to serve as a public man because he believed, and believed correctly, that he could benefit his country. Being thus trusted, he had occasional opportunities of corresponding secretly with persons who were with Charles II. on the continent, and through them inquired of that prince whether he would object to marry the lady Frances, Cromwell's youngest daughter. His answer was favourable, and he was desired to promote the match by all the means in his power. Thus sanctioned, he acquainted the wife and daughter of Cromwell with the project, and finding them equally agreeable, he caused a rumour of it to be dispersed in the city, and upon his return thence, proceeded to an interview in private with Cromwell. Upon joining him the protector inquired "where he had been?" and then, "what news there was?" Lord Broghill replied, "very strange news," and upon Cromwell's earnest inquiry for particulars, and promising not to be offended, proceeded jocularly to tell him that "it was rumoured he was going to marry his daughter Frances to the king." "And what," said Cromwell merrily, "what do the fools think of it?" "All like it," rejoined lord Broghill, "and think it the wisest thing you could do, if you could accomplish it." "And do you believe so too?" said Cromwell panning; and upon being assured he did, the protector resumed his walk to and fro in the room with his hands behind him for some time, and then asked his lordship "what reasons he had for his opinion?" Lord Broghill then reminded him how

little he could confide in his own party, who were always ready to express their discontent, and to unite to degrade him, as they had to exalt him; and that if he preserved his station for life, he could not expect to transmit it to his posterity; that on the other hand, the king, exiled and reduced in circumstances, would make him general of all the forces for life, or such other terms as he might stipulate. The loyalists would readily support this plan; and as his daughter would probably be the mother of a family, he would thereby be endeared to, and strengthen his interest both with the king and the nation. He would have the king for his son-in-law; his grandchild, heir apparent to the crown; and the power of the kingdom under his command.

Cromwell listened to these reasons with deep attention; and when his lordship had finished, resumed his pacing of the room for a few minutes in silence—and then observed, "the king will never forgive me the death of his father." Lord Broghill suggested that some one might be employed to ascertain the king's sentiments, and offered himself to be the mediator. He also observed, that he, Cromwell, was but one in the execution of the late king, but that he would have the sole merit of restoring the present. But Cromwell repeated with more emphasis, "the king cannot, and will not, forgive the death of his father,"—and adding some remark upon his immorality, and that he would ruin their party, positively refused to assent to the plan. Cromwell's wife and daughter subsequently exerted their influence, but in vain\*. The latter married a few months subsequently to a son of Lord Rich, Cromwell giving her 15,000*l.* as a fortune.—*Thurloe's State Papers*, vi.

\* Morrice's Life and State Papers of the earl of Orrery, 21. Mr. Morrice was his lordship's chaplain, and Burnet says he had the relation from the earl himself.

Calais again to England. This was very agreeable to Cromwell, who thought it would recommend him much to the nation, if he could restore that town again to the English empire, after it had been a hundred years in the hands of the French. Mazarin hearing of this sent one over to negotiate with him, but at first without a character: and, to outbid the Spaniard, he offered to assist Cromwell to take Dunkirk, which was a place of much more importance. The prince of Condé sent over likewise to offer Cromwell to turn protestant; and, if he would give him a fleet with good troops, he would make a descent in Guienne, where he did not doubt but that he should be assisted by the protestants; and that he should so distress France, as to obtain such conditions for them, and for England, as Cromwell himself should dictate. Upon this offer Cromwell sent Stoupe round all France to talk with their most eminent men, to see into their strength, into their present disposition, the oppressions they lay under, and their inclinations to trust the prince of Condé. He went from Paris down the Loire, then to Bourdeaux, from thence to Montauban, and across the south of France to Lyons: he was instructed to talk to them only as a traveller, and to assure them of Cromwell's zeal and care for them, which he magnified every where. The protestants were then very much at their ease: for Mazarin, who thought of nothing but to enrich his family, took care to maintain the edicts better than they had been in any time formerly. So Stoupe returned, and gave Cromwell an account of the ease they were then in, and of their resolution to be quiet. They had a very bad opinion of the prince of Condé, as a man who sought nothing but his own greatness, to which they believed that he was ready to sacrifice all his friends, and every cause that he espoused. This settled Cromwell as to that particular. He also found that the cardinal had such spies on that prince, that he knew every message that had passed between them: therefore he would have no farther correspondence with him: he said upon that to Stoupe, *stultus est, et garrulus, et venditur à suis cardinali*. That which determined him afterwards in the choice was this: he found the parties grew so strong against him at home, that he saw if the king or his brother were assisted by France with an army of Huguenots to make a descent in England, which was threatened if he should join with Spain, this might prove very dangerous to him, who had so many enemies at home and so few friends. This particular consideration, with relation to himself, made great impression on him; for he knew the Spaniards could give those princes no strength, nor had they any protestant subjects to assist them in any such design. Upon this occasion king James told me, that among other prejudices he had at the protestant religion this was one, that both his brother and himself, being in many companies in Paris incognito, where they met many protestants, he found they were all alienated from them, and were great admirers of Cromwell: so he believed they were all rebels in their heart. I answered, that foreigners were no other way concerned in the quarrels of their neighbours, than to see who could or would assist them: the coldness they had seen formerly in the court of England with relation to them, and the zeal which was then expressed, must naturally make them depend on one that seemed resolved to protect them. As the negotiation went on between France and England, Cromwell would have the king and his brother dismissed the kingdom. Mazarin consented to this; for he thought it more honourable that the French king should send them away of his own accord, than that it should be done pursuant to an article with Cromwell. Great excuses were made for doing it: they had some money given them, and were sent away loaded with promises of constant supplies that were never meant to be performed: and they retired to Cologne; for the Spaniards were not yet out of hope of gaining Cromwell. But when that vanished, they invited them to Brussels, and they settled great appointments on them, in their way, which was always to promise much, how little soever they could perform. They also settled a pay for such of the subjects of the three kingdoms as would come and serve under our princes: but few came, except from Ireland: of these some regiments were formed. But though this gave them a great and lasting interest in our court, especially in king James's, yet they did not much to deserve it.

Before king Charles left Paris he changed his religion, but by whose persuasion is not yet known: only cardinal de Retz was in the secret, and lord Aubigny had a great hand in it. It was kept a great secret. Chancellor Hyde had some suspicion of it, but would never suffer himself to believe it quite. Soon after the restoration that cardinal came over in disguise,

and had an audience of the king: what passed is not known. The first ground I had to believe it was this: The marquis de Roucy, who was the man of the greatest family in France that continued protestant to the last, was much pressed by that cardinal to change his religion: he was his kinsman and his particular friend. Among other reasons one that he urged was, that the protestant religion must certainly be ruined, and that they could expect no protection from England, for to his certain knowledge both the princes were already changed. Roucy told this in great confidence to his minister, who after his death sent an advertisement of it to myself. Sir Allen Broderick, a great confidant of the chancellor's, who, from being very atheistical, became in the last years of his life an eminent penitent, as he was a man of great parts, with whom I had lived long in great confidence, on his death-bed sent me likewise an account of this matter, which he believed was done in Fontainebleau, before king Charles was sent to Cologne. As for king James, it seems he was not reconciled at that time: for he told me, that being in a monastery in Flanders, a nun desired him to pray every day that, if he was not in the right way, God would bring him into it. and he said, the impression these words made on him never left him till he changed.

To return to Cromwell: while he was balancing in his mind what was fit for him to do, Gage, who had been a priest, came over from the West Indies, and gave him such an account of the feebleness as well as of the wealth of the Spaniards in those parts, as made him conclude that it would be both a great and an easy conquest to seize on their dominions. By this he reckoned he would be supplied with such a treasure, that his government would be established before he should need to have any recourse to a parliament for money. Spain would never admit of a peace with England between the tropics: so he was in a state of war with them as to those parts, even before he declared war in Europe. He upon that equipped a fleet with a force sufficient, as he hoped, to have seized Hispaniola and Cuba. And Gage had assured him, that success in that expedition would make all the rest fall into his hands. Stoupe, being on another occasion called to his closet, saw him one day very intent in looking on a map, and in measuring distances. Stoupe saw it was a map of the Bay of Mexico, and observed who printed it. So, there being no discourse upon that subject, Stoupe went next day to the printer to buy the map. The printer denied he had printed it. Stoupe affirmed he had seen it. Then, he said, it must be only in Cromwell's hand; for he only had some of the prints, and had given him a strict charge to sell none till he had leave given him. So Stoupe perceived there was a design that way. And when the time of setting out the fleet came on, all were in a gaze whither it was to go: some fancied it was to rob the church of Loretto, which did occasion a fortification to be drawn round it: others talked of Rome itself; for Cromwell's preachers had this often in their mouths, that if it were not for the divisions at home, he would go and sack Babylon: others talked of Cadiz, though he had not yet broken with the Spaniards. The French could not penetrate into the secret. Cromwell had not finished his alliance with them: so he was not bound to give them an account of the expedition. All he said upon it was, that he sent out the fleet to guard the seas, and to restore England to its dominion on that element. Stoupe happened to say in a company, he believed the design was on the West Indies. The Spanish ambassador hearing that, sent for him very privately, to ask him upon what ground he said it; and he offered to lay down 10,000*l.* if he could make any discovery of that. Stoupe owned to me, he had a great mind to the money; and fancied he betrayed nothing if he did discover the grounds of these conjectures, since nothing had been trusted to him: but he expected greater matters from Cromwell, and so kept the secret; and said only, that in a diversity of conjectures that seemed to him more probable than any others. But the ambassador made no account of that; nor did he think it worth the writing to Don John then at Brussels, about it.

Stoupe wrote it over as his conjecture to one about the prince of Condé, who, at first hearing it, was persuaded that must be the design, and went next day to suggest it to Don John: but Don John relied so much on the ambassador, that this made no impression. And indeed all the ministers whom he employed knew that they were not to disturb him with troublesome news: of which king Charles told a pleasant story. One whom Don John was sending to some court in Germany coming to the king to ask his commands, he desired him only to



write him news: the Spaniard asked him, whether he would have true, or false, news: and, when the king seemed amazed at the question, he added, if he wrote him true news the king must be secret, for he knew he must write news to Don John that would be acceptable, true or false: when the ministers of that court shewed that they would be served in such a manner, it is no wonder to see how their affairs have declined. This matter of the fleet continued a great secret. And some months after that, Stoupe being accidentally with Cromwell, one came from the fleet through Ireland with a letter. The bearer looked like one that brought no welcome news. And as soon as Cromwell had read the letter, he dismissed Stoupe, who went immediately to the earl of Leicester, then lord Lisle, and told him what he had seen. He being of Cromwell's council went to Whitehall, and came back, and told Stoupe of the descent made on Hispaniola, and of the misfortune that had happened. It was then late, and was the post night for Flanders. So Stoupe wrote it as news to his correspondent, some days before the Spanish ambassador knew any thing of it. Don John was amazed at the news, and had never any regard for the ambassador after that; but had a great opinion of Stoupe, and ordered the ambassador to make him theirs at any rate. The ambassador sent for him, and asked him, now that it appeared he had guessed right, what were his grounds: and when he told what they were, the ambassador owned he had reason to conclude as he did upon what he saw. And upon that he made great use of Stoupe: but he himself was never esteemed after that so much as he had been. This deserved to be set down so particularly, since by it it appears, that the greatest design may be discovered by an undue carelessness. The court of France was amazed at the undertaking, and was glad that it had miscarried; for the cardinal said, if he had suspected it, he would have made peace with Spain on any terms, rather than to have given way to that which would have been such an addition to England, as must have brought all the wealth of the world into their hands. The fleet took Jamaica: but that was a small gain, though much magnified to cover the failing of the main design. The war after that broke out, in which Dunkirk was indeed taken, and put into Cromwell's hands: but the trade of England suffered more in that, than in any former war: so he lost the heart of the city of London by that means.

Cromwell had two signal occasions given him to shew his zeal in protecting the protestants abroad. The duke of Savoy raised a new persecution of the Vaudois: so Cromwell sent to Mazarin, desiring him to put a stop to that; adding that he knew well they had that duke in their power, and could restrain him as they pleased: and if they did not he must presently break with them. Mazarin objected to this as unreasonable: he promised to do good offices, but he could not be obliged to answer for the effects they might have. This did not satisfy Cromwell: so they obliged the duke of Savoy to put a stop to that unjust fury: and Cromwell raised a great sum for the Vaudois, and sent over Morland to settle all their losses\*. There was also a tumult in Nismes, in which some disorder had been committed by the huguenots: and they, apprehending severe proceedings upon it, sent one over with great expedition to Cromwell, who sent him back to Paris in an hour's time with a very effectual letter to his ambassador, requiring him either to prevail that the matter might be passed over, or to come away immediately. Mazarin complained of this way of proceeding, as too imperious: but the necessity of their affairs made him yield. These things raised Cromwell's character abroad, and made him be much depended on.

His ambassador in France at this time was Lockhart, a Scotchman, who had married his niece, and was in high favour with him, as he well deserved to be. He was both a wise and a gallant man, calm and virtuous, and one that carried the generousities of friendship very far. He was made governor of Dunkirk, and ambassador at the same time. But he told me, that when he was sent afterwards ambassador by king Charles, he found he had nothing of that regard that was paid him in Cromwell's time†.

\* The Vaudois, or Waldenses, are a most interesting people. They were among the very earliest opponents of the superstitious, errors, and tyranny of the papal see. Their persecution began as early as the twelfth century. See Mosheim, Turner's England and the Middle Ages, Gilly's History of the Waldenses, &c. Whether Cromwell's charitable interference arose from his anxiety for

the welfare and diffusion of the reformed religion: or from his desire to make England respected as its champion, it was an act that must always obtain for him unqualified praise.

† Clarendon speaks of general Lockhart in the highest terms, confessing that he was proof against bribes, and an excellent ambassador.

Stoupe told me of a great design Cromwell had intended to begin his kingship with, if he had assumed it : he resolved to set up a council for the protestant religion, in opposition to the congregation *de propaganda fide* at Rome. He intended it should consist of seven councillors, and four secretaries for different provinces. These were the first, France, Switzerland, and the Valleys : the Palatinate and other Calvinists were the second : Germany, the north, and Turkey were the third : and the East and West Indies were the fourth. The secretaries were to have 500*l.* salary apiece, and to keep a correspondence every where, to know the state of religion all over the world, that so all good designs might be by their means protected and assisted. Stoupe was to have the first province. They were to have a fund of 10,000*l.* a year at their disposal for ordinary emergencies, but to be farther supplied as occasions should require it. Chelsea College was to be made up for them, which was then an old decayed building, that had been at first raised to be a college for writers of controversy \*. I thought it was not fit to let such a project as this be quite lost : it was certainly a noble one : but how far he would have pursued it must be left to conjecture.

Stoupe told me a remarkable passage in his employment under Cromwell. Stoupe had desired all that were under the prince of Condé to let him know some news, in return of that he wrote to them. So he had a letter from one of them, giving an account of an Irishman newly gone over, who had said he would kill Cromwell, and that he was to lodge in King-street, Westminster. With this Stoupe went to Whitehall. Cromwell being then at council, he sent him a note, letting him know that he had a business of great consequence to lay before him. Cromwell was then upon a matter that did so entirely possess him, that he, fancying that it was only some piece of foreign intelligence, sent Thurloe to know what it might be. Stoupe was troubled at this, but could not refuse to show him his letter. Thurloe made no great matter of it : he said, they had many such advertisements sent them, which signified nothing but to make the world think the protector was in danger of his life : and the looking too much after these things had an appearance of fear, which did ill become so great a man. Stoupe told him, King-street might be soon searched. Thurloe answered, if we find no such person, how shall we be laughed at ? Yet he ordered him to write again to Brussels, and promise any reward if a more particular discovery could be made. Stoupe was much cast down, when he saw that a piece of intelligence which he hoped might have made his fortune was so little considered. He wrote to Brussels : but he had no more from thence, but a confirmation of what had been written formerly to him. And Thurloe did not think fit to make any search, or any farther inquiry into it : nor did he so much as acquaint Cromwell with it. Stoupe, being uneasy at this, told lord Lisle of it : and it happened that, a few weeks after, Syndercomb's design of assassinating Cromwell near Brentford, as he was going to Hampton-court, was discovered. When he was examined, it appeared that he was the person set out in the letters from Brussels. So Lisle said to Cromwell, this is the very man of whom Stoupe had the notice given him. Cromwell seemed amazed at this ; and sent for Stoupe, and in great wrath reproached him for his ingratitude in concealing a matter of such consequence to him. Stoupe upon this showed him the letters he had received ; and put him in mind of the note he had sent in to him, which was immediately after he had the first letter, and that he had sent out Thurloe to him. At that Cromwell seemed yet more amazed ; and sent for Thurloe, to whose face Stoupe affirmed the matter : nor did he deny any part of it ; but only said, that he had many such advertisements sent him, in which till this time he had never found any truth. Cromwell replied sternly, that he ought to have acquainted him with it, and left him to judge of the importance of it. Thurloe desired to speak in private with Cromwell. So Stoupe was dismissed, and went away not doubting but Thurloe would be disgraced. But as he understood from Lisle afterward, Thurloe showed Cromwell such instances of his care and fidelity on all such occasions, and humbly acknowledged his error in this matter, but imputed it wholly to his care both for his honour and quiet, that he pacified him entirely : and indeed he was so much in all Cromwell's secrets, that it was not safe to disgrace

\* Chelsea College was founded by Dr. Sutcliffe, dean of Exeter. He intended that it should consist of a provost and twenty fellows—Kennet's Complete Hist. of England, ii. 685. Archbishop Bancroft proposed to be its benefactor, and urged James I. to be its active patron.

This led Willson into the error of saying that the archbishop induced the king to found it. After the former's death it was neglected, the king "wisely considering that nothing begets more contention than opposition."—Willson's James I., 53.

him without destroying him ; and that it seems Cromwell could not resolve on. Thurloe having mastered this point, that he might farther justify his not being so attentive as he ought to have been, did so much search into Stoupe's whole deportment, that he possessed Cromwell with such an ill opinion of him, that after that he never treated him with any confidence. So he found how dangerous it was even to preserve a prince, (so he called him) when a minister was wounded in the doing of it : and that the minister would be too hard for the prince, even though his own safety was concerned in it.

These are all the memorable things that I have learnt concerning Cromwell ; of whom so few have spoken with any temper, some commending and others condemning him, and both out of measure, that I thought a just account of him, which I had from sure hands, might be no unacceptable thing. He never could shake off the roughness of his education and temper : he spoke always long, and very ungracefully. The enthusiast and the dissembler mixed so equally in a great part of his deportment, that it was not easy to tell which was the prevailing character. He was indeed both, as I understood from Wilkins and Tillotson, the one having married his sister, and the other his niece. He was a true enthusiast, but with the principle formerly mentioned, from which he might be easily led into all the practices both of falsehood and cruelty : which was, that he thought moral laws were only binding on ordinary occasions, but that upon extraordinary ones these might be superseded. When his own designs did not lead him out of the way, he was a lover of justice and virtue, and even of learning, though much decried at that time.

He studied to seek out able and honest men, and to employ them : and so having heard that my father had a very great reputation in Scotland for piety and integrity, though he knew him to be a royalist, he sent to him, desiring him to accept of a judge's place, and to do justice in his own country, hoping only that he would not act against his government ; but he would not press him to subscribe, or swear, to it. My father refused it in a pleasant way. When he who brought the message was running out into Cromwell's commendation, my father told a story of a pilgrim in popery, who came to a church where one saint Kilmaclotius was in great reverence : so the pilgrim was bid pray to him : but he answered, he knew nothing of him, for he was not in his breviary : but when he was told how great a saint he was, he prayed this collect ; "*O sancte Kilmacloti, tu nobis hactenus es incognitus, hoc solum a te rogo, ut si bona tua nobis non prosint, saltem mala ne noceant.*" My father replied, that he desired no other favour of him but leave to live privately, without the impositions of oaths and subscriptions : and ever after he lived in great quiet. And this was an instance of it : Overton, one of Cromwell's major generals, who was a high republican, being for some time at Aberdeen, where we then lived, my father and he were often together : in particular they were shut up alone for about two hours the night after the order came from Cromwell to take away Overton's commissions, and to put him in arrest. Upon that Howard, afterward earl of Carlisle, being sent down to inquire into all the plots that those men had been in, heard of this long privacy : but, when with that he heard what my father's character was, he made no farther inquiry into it ; but said Cromwell was very uneasy when any good man was questioned for any thing.

This gentleness had in a great measure quieted people's minds with relation to him. And his maintaining the honour of the nation in all foreign countries gratified the vanity which is very natural to Englishmen ; of which he was so careful, that though he was not a crowned head, yet his ambassadors had all the respects paid them which our kings' ambassadors ever had : he said, the dignity of the crown was upon the account of the nation, of which the king was only the representative head ; so the nation being still the same, he would have the same regards paid to his ministers.

Another instance of this pleased him much. Blake with the fleet happened to be at Malaga before he made war upon Spain : and some of his seamen went ashore, and met the hostie carried about ; and not only paid no respect to it, but laughed at those who did ; so one of the priests put the people on resenting this indignity ; and they fell upon them, and beat them severely. When they returned to their ship they complained of this usage ; and upon that Blake sent a trumpet to the viceroy, to demand the priest who was the chief instrument in that ill usage. The viceroy answered, he had no authority over the priests,



and so could not dispose of him. Blake upon that sent him word, that he would not inquire who had the power to send the priest to him, but if he were not sent within three hours he would burn their town : and they, being in no condition to resist him, sent the priest to him, who justified himself upon the petulant behaviour of the seamen. Blake answered, that if he had sent a complaint to him of it, he would have punished them severely, since he would not suffer his men to affront the established religion of any place at which he touched : but he took it ill, that he set on the Spaniards to do it ; for he would have all the world to know, that an Englishman was only to be punished by an Englishman : and so he treated the priest civilly, and sent him back, being satisfied that he had him at his mercy.

Cromwell was much delighted with this, and read the letters in council with great satisfaction ; and said, he hoped he should make the name of an Englishman as great as ever that of a Roman had been. The States of Holland were in such dread of him, that they took care to give him no sort of umbrage : and when at any time the king, or his brothers, came to see their sister, the princess royal, within a day or two after they used to send a deputation to let them know, that Cromwell had required of the States that they should give them no harbour. King Charles, when he was seeking for colour for the war with the Dutch in the year 1672, urged it for one, that they suffered some of his rebels to live in their provinces. Borel, then their ambassador, answered, that it was a maxim of long standing among them, not to inquire upon what account strangers came to live in their country, but to receive them all, unless they had been concerned in conspiracies against the persons of princes. The king told him upon that, how they had used both himself and his brother. Borel, in great simplicity, answered : “ Ah ! sire, c'étoit une autre chose : Cromwell étoit un grand homme, et il se faisoit craindre par terre et par mer.” This was very rough. The king's answer was : “ Je me ferai craindre aussi à mon tour.” But he was scarce as good as his word.

Cromwell's favourite alliance was with Sweden. Carolus Gustavus and he lived in great conjunction of counsels. Even Algernon Sydney, who was not inclined to think or speak well of kings, commended him to me ; and said, he had just notions of public liberty ; and added, that Queen Christina seemed to have them likewise. But she was much changed from that, when I waited on her at Rome ; for she complained of us as a factious nation, that did not readily comply with the commands of our princes. All Italy trembled at the name of Cromwell, and seemed under a panic, as long as he lived. His fleet scoured the Mediterranean ; and the Turks durst not offend him ; but delivered up Hyde, who kept up the character of an ambassador from the king there, and was brought over and executed for it \*. The putting the brother of the king of Portugal's ambassador to death for murder, was carrying justice very far ; since, though in the strictness of the law of nations, it is only the ambassador's own person that is exempted from any authority but his master's that sends him, yet the practice had gone in favour of all that the ambassador owned to belong to him †.

\* Cromwell was only acting as became the head of the executive of England, when he brought Sir Henry Hyde to trial, and sanctioned his execution. In that capacity he had to maintain the honour and interests of this country. Though protector in name, he was king *de facto*, as such it was his province to depute ambassadors to foreign courts ; and he had sent Sir Thomas Bendish in that capacity to Constantinople. Charles the Second, regardless of the law of nations, which declares that no prince deprived of his dominions is entitled to appoint ambassadors, sent Sir Henry Hyde to the Ottoman court. Upon his arrival, he assumed the power to discharge Sir Thomas Bendish from his office ; entered into plans for seizing the goods of the English merchants for the use of the ex-king, and did other acts injurious to the interests, and treasonable against the government of this country. Cromwell demanded that he should be given up, and upon his arrival in this country, he was tried, and executed. This was in 1650. The scaffold was erected before the Royal Exchange, doubtless as a notice to the mercantile world, that the government was sensibly alive to, and resolute to protect, our commercial interests. Sir Henry Hyde was one of eleven brothers, all distinguished for

their talents and Stuart loyalty. They were cousins of Lord Chancellor Clarendon. — Wood's *Athenæ*, Oxon. ii. 1152, fol. ed.

† Burnet is wrong in considering this was an outstretch of the law. An ambassador *himself*, if he commit a felony or any other crime, *contra jus gentium*, loses his privilege, and may be punished in the country where he perpetrates the offence without being remanded to his sovereign. — Coke's 4 *Institute*, 153. *A fortiori*, an ambassador's brother, not even belonging to his suite, but who, as Clarendon states, accompanied him “ out of curiosity,” is not protected from our laws if he commits a deliberate murder. This was the case with Don Pantaleon Sa, alluded to in the text. Having quarrelled with a gentleman upon the Exchange, and being worsted in the encounter, he returned the day following with an armed retinue, and killed a gentleman, whom he mistook for his previous-day's adversary. His brother, the Portuguese ambassador, made every effort to protect him from the consequences, but without avail. Cromwell's immovable answer was, “ Justice must be done.” He was beheaded on Tower Hill in July, 1654. — Clarendon's *Hist. of Rebellion*, iii. 385. Philip's *Baker's Chron.* 535.

Cromwell shewed his good understanding in nothing more, than in seeking out capable and worthy men for all employments, but most particularly for the courts of law, which gave a general satisfaction.

Thus he lived, and at last died, on his auspicious \* third of September, of so slight a sickness, that his death was not looked for. He had two sons, and four daughters. His sons were weak, but honest men. Richard, the eldest, though declared protector in pursuance of a nomination pretended to be made by Cromwell, the truth of which was much questioned, was not at all bred for business, nor indeed capable of it. He was innocent of all the ill his father had done : so there was no prejudice lay against him : and both the royalists and the presbyterians fancied he favoured them, though he pretended to be an independent. But all the commonwealth party cried out upon his assuming the protectorship, as a high usurpation ; since whatever his father had from his parliaments was only personal, and so fell with him : yet in opposition to this, the city of London, and all the counties and cities almost in England, sent him addresses congratulatory, as well as condoling. So little do these pompous appearances of respect signify. Tillotson told me, that a week after Cromwell's death, he, being by accident at Whitehall, and hearing there was to be a fast that day in the household, out of curiosity went into the presence chamber where it was held. On the one side of a table, Richard with the rest of Cromwell's family were placed, and six of the preachers were on the other side : Thomas Goodwin, Owen, Carril and Sterry were of the number. There he heard a great deal of strange stuff, enough to disgust a man for ever of that enthusiastic boldness. God was, as it were, reproached with Cromwell's services, and challenged for taking him away so soon. Goodwin, who had pretended to assure them in a prayer that he was not to die, which was but a very few minutes before he expired, had now the impudence to say to God, "Thou hast deceived us, and we were deceived." Sterry, praying for Richard, used those indecent words, next to blasphemy, "Make him the brightness of the father's glory, and the express image of his person." Richard was put on giving his father a pompous funeral, by which his debts increased so upon him, that he was soon run out of all credit. When the parliament met, his party tried to get a recognition of his protectorship : but it soon appeared, they had no strength to carry it. Fleetwood, who married Ireton's widow, set up a council of officers : and these resolved to lay aside Richard, who had neither genius nor friends, neither treasure nor army, to support him. He desired only security for the debts he had contracted ; which was promised, but not performed. And so without any struggle he withdrew, and became a private man. And as he had done hurt to nobody, so nobody did ever study to hurt him ; a rare instance of the instability of human greatness, and of the security of innocence. His brother had been made by the father, lieutenant of Ireland, and had the more spirit of the two ; but he could not stand his ground, when his brother quitted. One of Cromwell's daughters was married to Claypole, and died a little before himself : another was married to the earl of Falconbridge, a wise and worthy woman, more likely to have maintained the post than either of her brothers ; according to a saying that went of her, "that those who wore breeches deserved petticoats better, but if those in petticoats had been in breeches, they would have held faster." The other daughter was married, first to the earl of Warwick's heir, and afterwards to one Russel. They were both very worthy persons †.

Upon Richard's leaving the stage, the Commonwealth was again set up ; and the parliament which Cromwell had broken was brought together : but the army and they fell into new disputes : so they were again broken by the army ; and upon that the nation was like to fall into great convulsions. The enthusiasts became very fierce, and talked of nothing but the destroying all the records and the law, which they said had been all made by a succession of tyrants and papists : so they resolved to model all anew by a levelling, and a

\* It may well be called *Auspicious*, since on that day he had defeated the Scotch at Dunbar, and the next year the king at Worcester.—Note by Author's Son.

† The most comprehensive notice respecting Cromwell and his family, is in Noble's "Memoirs of the House of Cromwell;" but a good history of the Protectorate is yet

a desideratum. All the modern ones are unworthy copies of unworthy predecessors. They are the plagiarists of plagiarists ; devoid of the very essential requisites, a knowledge of genuine authorities, and a perseverance in examining them. Godwin's "History of the Commonwealth," is only partially exempt from this censure.

spiritual government of the saints. There was so little sense in this, that Nevil and Harrington, with some others, set up in Westminster a meeting, to consider of a form of government that should secure liberty, and yet preserve the nation. They ran chiefly on having a parliament elected by ballot, in which the nation should be represented according to the proportion of what was paid in taxes, towards the public expense; and by this parliament a council of twenty-four was to be chosen by ballot: and every year eight of these were to be changed, and might not again be brought into it, but after an interval of three years. By these the nation was to be governed; and they were to give an account of the administration to the parliament every year. This meeting was a matter of diversion and scorn, to see a few persons take upon them to form a scheme of government; and it made many conclude, it was necessary to call home the king, that so matters might again fall into their old channel.\* Lambert became the man on whom the army depended most. Upon his forcing the parliament, great applications were made to Monk to declare for the parliament; but under this the declaring for the king was generally understood. Yet he kept himself under such a reserve, that he declared all the while, in the most solemn manner, for a commonwealth, and against a single person, in particular against the king; so that none had any ground from him to believe he had any design that way. Some have thought that he intended to try, if it was possible, to set up for himself; others rather believed, that he had no settled design any way, and resolved to do as occasion should be offered to him. The Scotch nation did certainly hope he would bring home the king. He drew the greatest part of the army towards the borders, where Lambert advanced towards him with seven thousand horse. Monk was stronger in foot, but being apprehensive of engaging on disadvantage, he sent Clarges to the lord Fairfax for his advice and assistance, who returned answer by Dr. Fairfax, afterwards secretary to the archbishop of Canterbury, and assured him he would raise Yorkshire on the first of January. And he desired him to press upon Lambert, in case that he should send a detachment into Yorkshire. On the first of January, Fairfax appeared with about one hundred gentlemen and their servants; but so much did he still maintain his great credit with the army, that the night after, the Irish brigade, that consisted of twelve hundred horse, and was the rear of Lambert's army, came over to him.

\* The most distinguished and influential republicans of the period were Algernon Sydney, Henry Neville, Henry Martin, John Wildman, and James Harrington. A particular notice of any but Neville and Harrington, is deferred to future pages; further than to remark that they were all enthusiastic sufferers in defence of their principles, and, excepting Martin, were distinguished as virtuous men. They have left us their deliberate opinions and projects of government recorded; and these are testimonies that their object was to secure the freedom and happiness of their country. Their political regulations are founded upon too favourable an estimate of human nature; and, like Plato's "Republic," and More's "Utopia," might be practicable, if man was devoid of evil. Those who wish to understand the developed principles of these well-meaning, though mistaken men, will find them in Sydney's "Discourses upon Government;" Neville's "Plato Redivivus;" and Harrington's "Commonwealth of Oceana." Martin's degraded ideas of liberty and a republic, are related in his "England's Troubles Troubled." Sir Henry Vane, the younger, nicknamed Sir Humorous Vanity, was also a republican, but he was so wild, and protean, that he was not of much weight with the party. His opinions are recorded in his "Life and Death, &c."

Neville was the son of a knight residing in Berkshire. He was travelling on the Continent during the civil war; but he obtained a seat in the long parliament, and was one of the "council of state;" but Cromwell, finding him a stern opposer, soon displaced him. He was an uncompromising republican. He was imprisoned at the restoration, but being released, he lived unnoticed, and died in 1694.—Wood's *Athens Oxon.* iii. 918, fol. edit.

Harrington was a native of Northamptonshire, and, like

Neville, was a man of good talents, cultivated and improved by a liberal education and travelling. He sided with the presbyterians at the commencement of the civil war; but from his intercourse with Charles the First at Newcastle, acquired such a regard for his majesty, that when the latter offered him the post of attendant in his bedchamber, he readily accepted it. He attended the king in his last hour of trial. Notwithstanding this attachment and fidelity to his royal master, he always maintained his opinions in favour of a democracy. At the restoration, he was committed to prison, but becoming insane, he obtained his release. He died in 1677.

The *Rota Club* was founded in 1659, by these two politicians. It was held at an inn, then called the Turk's Head, in New Palace Yard; it is still an hotel (Oliver's), at the corner next the river. Besides the two founders, there were among its members Cyriack Skinner, a disciple of Milton; Major John Wildman; Charles Wolseley, of Staffordshire; Roger Coke; William Poultney, afterwards knighted; and many others. They had public debates, and balloting upon the best form of government, and the regulation of a commonwealth. Wood says, "their discourses were the most ingenious and smart that ever were heard, compared with them the arguments in the parliamentary houses were flat." The club lasted no longer than the commencement of 1660. The restoration dissolved it. Their favourite model of a House of Commons, and which Neville actually proposed in his place as a member of parliament, was, that a third part of its members should be balloted out in rotation every year. No magistrate was to continue in office more than three years, and all of them to be chosen by ballot.—Wood's *Athens Oxon.* ii. 591; fol. edit. Biog. Britan. in vita Harrington.



Upon that Lambert retreated, finding his army was so little sure to him, and resolved to march back to London. He was followed by Monk, who when he came to Yorkshire, met with Fairfax, and offered to resign the chief command to him. The lord Fairfax refused it, but pressed Monk to declare for a free parliament: yet in that he was so reserved to him, that Fairfax knew not how to depend on him. But as Lambert was making haste up, his army mouldered away, and he himself was brought up a prisoner, and was put in the Tower of London. Yet not long after he made his escape, and gathered a few troops about him in Northamptonshire. But these were soon scattered; for Ingoldsby, though one of the king's judges, raised Buckinghamshire against him: and so little force seemed now in that party, that with very little opposition Ingoldsby took him prisoner, and brought him into Northampton; where Lambert, as Ingoldsby told me, entertained him with a pleasant reflection for all his misfortunes. The people were in great crowds applauding and rejoicing for the success. So Lambert put Ingoldsby in mind of what Cromwell had said to them both, near that very place, in the year 1650, when they, with a body of the officers, were going down after their army that was marching to Scotland, the people all the while shouting and wishing them success: Lambert upon that said to Cromwell, he was glad to see they had the nation on their side: Cromwell answered, "do not trust to that, for these very persons would shout as much if you and I were going to be hanged." Lambert said, he looked on himself as in a fair way to that, and began to think Cromwell prophesied\*.

Upon the dispersing Lambert's army, Monk marched southward, and was now the object of all men's hope. At London all sorts of people began to cabal together, royalists, presbyterians, and republicans. Hollis told me, the presbyterians pressed the royalists to be quiet, and to leave the game in their hands; for their appearing would give jealousy, and hurt that which they meant to promote. He and Ashley Cooper, Grimstone and Annesley, met often with Manchester, Roberts, and the rest of the presbyterian party: and the ministers of London were very active in the city; so that when Monk came up, he was pressed to declare himself. At first he would only declare for the parliament that Lambert had forced; but there was then a great fermentation all over the nation. Monk and the parliament grew jealous of one another, even while they tried who could give the best words, and express their confidence in the highest terms of one another. I will pursue the relation of this transaction no farther; for this matter is well known†.

The king had gone, in autumn 1659, to the meeting at the Pyrenees, where cardinal Mazarin and Don Lewis de Haro were negotiating a peace. He applied himself to both sides, to try what assistance he might expect upon their concluding the peace. It was then known that he went to mass sometimes, that so he might recommend himself the more effectually to both courts; yet this was carried secretly, and was confidently denied. Mazarin still talked to Lockhart upon the foot of the old confidence; for he went thither to watch over the treaty; though England was now in such convulsions, that no minister from thence could be much considered, unless it was upon his own account. But matters were ripening so fast towards a revolution in England, that the king came back to Flanders in all haste, and went from thence to Breda. Lockhart had it in his power to have made a great fortune,

\* This was not the case. He was, as is stated in a subsequent page of the text, put into prison at the Restoration, and continued there for many years. He was, in fact, tried, and condemned to be executed, but was pardoned, and died an exile in Guernsey, after remaining there more than thirty years. — Grainger's Biograph. Hist. iv. 2.

† For information on this point, the reader will do well to consult Clarendon's "History of the Rebellion" and "Auto-biography;" Sir Philip Warwick's "Memoirs;" and the biographies of Monk, Ashley Cooper, Montague, and Annesley. After the perusal of these and of many of the private letters of this period, I cannot but think that these statesmen deserve no more applause for the parts they acted in the restoration than is due to men who, seeing the direction taken by public opinion, are discreet

enough to yield, and to take the lead, when they observe it would be useless to oppose. That three of them were actuated by disinterested loyalty, can never be demonstrated; and if it could, would be only at the expense of their honour and sworn truth; for but a few months before the restoration of Charles the Second, they had bound themselves by oath to maintain the cause of his opponents. Probably they would have maintained this cause if the voice of the people had been raised in its favour: they intrigued with both parties to the very last, and did not finally display their purple favour until they felt certain that it was most generally esteemed. Dr. Wellwood was a contemporary, and this was his opinion of the duke of Albemarle. His observations and anecdotes are worth reading. See his "Memoirs." Burnet, it will be seen, in the next page, thought similarly.

if he had begun first, and had brought the king to Dunkirk. As soon as the peace of the Pyrenees was made, he came over and found Monk at London, and took all the pains he could to penetrate into his designs. But Monk continued still to protest to him in the solemnest manner possible, that he would be true to the commonwealth, and against the royal family. Lockhart went away, persuaded that matters would continue still in the same state: so that when his old friend Middleton wrote to him to make his own terms, if he would invite the king to Dunkirk, he said, he was trusted by the commonwealth, and could not betray it.

The House of Commons put Monk on breaking the gates of the city of London, not doubting but that would render him so odious to them, that it would force him to depend wholly on themselves. He did it, and soon after he saw how odious he was become by it. So, conceiving a high indignation at those who had put him on such an ungracious piece of service, he sent about all that night to the ministers and other active citizens, assuring them that he would quickly repair that error, if they would forgive it. So the turn was sudden, for the city sent and invited him to dine the next day at Guildhall; and there he declared for the members whom the army had forced away in the year forty-seven and forty-eight, who were known by the name of secluded members. And some happening to call the body that then sat at Westminster *the rump* of a parliament, a sudden humour ran like a madness through the whole city, of roasting the rumps of all sorts of animals\*: and thus the city expressed themselves sufficiently. Those at Westminster had no support; so they fell unpitied, and unregarded. The secluded members came, and sat down among them; but all they could do was to give orders for the summoning a new parliament, to meet the first of May: and so they declared themselves dissolved.

There was still a murmuring in the army. So great care was taken to scatter them in wide quarters, and not to suffer too many of those who were still for the old cause, to lie near one another. The well and the ill-affected were so mixed, that in case of any insurrection some might be ready at hand to assist them. They changed the officers, that were ill-affected, who were not thought fit to be trusted with the commanding those of their own stamp; and so created a mistrust between the officers and the soldiers. And above all they took care to have no more troops than was necessary about the city: and those were the best affected. This was managed with great diligence and skill: and by this conduct it was, that the great turn was brought about without the least tumult, or bloodshed; which was beyond what any person could have imagined. Of all this Monk had both the praise and the reward: though I have been told a very small share of it belonged to him. Admiral Montague was then in chief command at sea, newly returned from the Sound, where he and De Ruyter, upon the orders they received from their masters, had brought the two northern kings to a peace, the king of Sweden dying as it was making up. He was soon gained to be for the king; and dealt so effectually with the whole fleet, that the turn there was as silently brought about, without any revolt or opposition, as it had been in the army. The republicans went about like madmen, to rouse up their party. But their time was past. All were either as men amazed, or asleep. They had neither the skill, nor the courage, to make any opposition. The elections of parliament men ran all the other way. So they saw their business was quite lost, and they felt themselves struck as with a spirit of giddiness. And then every man thought only how to save, or secure himself. And now they saw how deceitful the argument from success was, which they had used so oft, and triumphed so much upon. For whereas success in the field, which was the foundation of their argument, depended much upon the conduct and courage of armies, in which the will of man had a large share, here was a thing of another nature: a nation, that had run on long in such a fierce opposition to the royal family, was now turned as one man to call home the king.

The nation had one great happiness during the long course of the civil war, that no

\* This is entirely confirmed by Clarendon. The origin of the epithet *rump*, as is the case of many other nick-names, is now uncertain. Like the modern party sobriquets *conservative* and *destructive*, it was probably applied adventitiously; and, as Burnet seems to imply, was popularly adopted. Walker, in his History of Inde-

pendency, says the remnant of the parliament was so called, because it was "a fag-end, having corrupt maggots in it:"—and Clarendon says, it obtained the name because it was like the fag-end of a carcass long dead. Sir Philip Warwick says, it was called "the rump, or tail of the long parliament."—Memoirs, 393.

foreigners had got footing among them. Spain was sinking to nothing : France was under a base-spirited minister\* : and both were in war all the while. Now a peace was made between them. And very probably, according to what is in Mazarin's letters, they would have joined forces to have restored the king. The nation was by these means entirely in its own hands : and now, returning to its wits, was in a condition to put every thing in joint again : whereas, if foreigners had been possessed of any important place, they might have had a large share of the management, and would have been sure of taking care of themselves. Enthusiasm was now languid : for that, owing its mechanical force to the liveliness of the blood and spirits, men in disorder and depressed could not raise in themselves those heats, with which they were formerly wont to transport themselves and others. Chancellor Hyde was all this while very busy : he sent over Dr. Morley, who talked much with the presbyterians of moderation in general, but would enter into no particulars : only he took care to let them know he was a calvinist : and they had the best opinion of such of the church of England as were of that persuasion. Hyde wrote in the king's name to all the leading men, and got the king to write a great many letters in a very obliging manner. Some that had been faulty sent over considerable presents, with assurances that they would redeem all that was past with their zeal for the future. These were all accepted. Their money was also very welcome ; for the king needed money when his matters were on that crisis and he had so many tools at work. The management of all this was so entirely the chancellor's single performance, that there was scarce any other that had so much as a share in it with him. He kept a register of all the king's promises, and of his own ; and did all that lay in his power afterwards to get them all to be performed. He was also all that while giving the king many wise and good advices. But he did it too much with the air of a governor, or of a lawyer. Yet then the king was wholly in his hands.

I need not open the scene of the new parliament, (or convention, as it came afterwards to be called, because it was not summoned by the king's writ,) such unanimity appeared in their proceedings, that there was not the least dispute among them, but upon one single point : yet that was a very important one. Hale, afterwards the famous chief justice, moved that a committee might be appointed to look into the propositions that had been made, and the concessions that had been offered by the late king during the war, particularly at the treaty of Newport, that from thence they might digest such propositions as they should think fit to be sent over to the king. This was seconded, but I do not remember by whom. It was foreseen that such a motion might be set on foot : so Monk was instructed how to answer it, whensoever it should be proposed. He told the house, that there was yet, beyond all men's hope, an universal quiet over the nation ; but there were many incendiaries still on the watch, trying where they could first raise the flame. He said, he had such copious informations sent him of these things, that it was not fit they should be generally known : he could not answer for the peace, either of the nation, or of the army, if any delay was put to the sending for the king : what need was there of sending propositions to him ? Might they not as well prepare them, and offer them to him, when he should come over ? He was to bring neither army nor treasure with him, either to fright them, or to corrupt them. So he moved, that they would immediately send commissioners to bring over the king : and said, that he must lay the blame of all the blood, or mischief, that might follow, on the heads of those, who should still insist on any motion that might delay the present settlement of the nation. This was echoed with such a shout over the house that the motion was no more insisted on †.

\* Cardinal Mazarin.

† Sir Matthew Hale proposed that the articles offered to the king should be in the spirit of those signed by Henry the third, at Kenilworth. It is in the appendix to the statutes at large as the "Dictum de Kenilworth ;" and pledges the king to good government, and pardon to those who had been in arms against him. Although negatived, yet Hale's motion was debated during two days.—Chandler's Debates, i. 7. Popular inconstancy is common to a proverb, therefore it is no wonder that the same vulgar throats should give vent to welcoming shouts for the second Charles and for Cromwell ; but it is sickening,

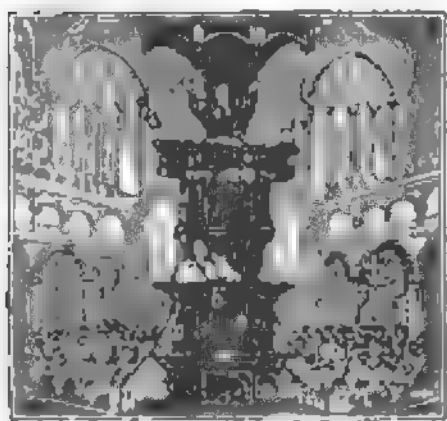
and engenders suspicion of all public sincerity, to know that such men as sir Harbottle Grimston, the opponent of monarchy and episcopacy under Charles the First, could bring himself to utter such despicable sycophantic language as that which he used upon the prospect of the return of that monarch's son. This was a part of his consistent pen.—"Our bells and our bonfires have already began the proclamation of his majesty's goodness, and of our joys. We have told the people, *Our king, the glory of England, is coming home again*, and they have resounded back in our ears, *we are ready, our hearts are ready to receive him.*"



This was indeed the great service that Monk did. It was chiefly owing to the post he was in, and to the credit he had gained : for as to the restoration itself, the tide ran so strong, that he only went into it dexterously enough, to get much fame, and great rewards, for that which will have still a great appearance in history. If he had died soon after, he might have been more justly admired, because less known, and seen only in one advantageous light : but he lived long enough to make it known, how false a judgment men are apt to make upon outward appearance. To the king's coming in without conditions may be well imputed all the errors of his reign. And when the earl of Southampton came to see what he was like to prove, he said once in great wrath to chancellor Hyde, it was to him they owed all they either felt or feared ; for if he had not possessed them in all his letters with such an opinion of the king, they would have taken care to have put it out of his power either to do himself, or them, any mischief, which was like to be the effect of their trusting him so entirely. Hyde answered, that he thought the king had so true a judgment, and so much good nature, that when the age of pleasure should be over, and the idleness of his exile, which made him seek new diversions for want of other employment, was turned to an obligation to mind affairs, then he would have shaken off those entanglements. I must put my reader in mind, that I leave all common transactions to ordinary books. If at any time I say things that occur in any books, it is partly to keep the thread of the narration in an unentangled method, and partly, because I neither have heard nor read those things in books ; or at least, I do not remember to have read them so clearly, and so particularly, as I have related them. I now leave a mad and confused scene, to open a more august and splendid one.

## BOOK II.

OF THE FIRST TWELVE YEARS OF THE REIGN OF KING CHARLES II. FROM THE YEAR 1660  
TO THE YEAR 1673.



**DIVIDE** king Charles's reign into two books, not so much because, consisting of twenty-four years, it fell, if divided at all, naturally to put twelve years in a book: but I have a much better reason for it, since as to the first twelve years, though I knew the affairs of Scotland very authentically, yet I had only such a general knowledge of the affairs of England as I could pick up at a distance: whereas I lived so near the scene, and had indeed such a share in several parts of it, during the last twelve years, that I can write of these with much more certainty, as well as more fully, than of the first twelve. I

will, therefore, enlarge more particularly, within the compass that I have fixed for this book, on the affairs of Scotland; both out of the inbred love that all men have for their native country, and more particularly, that I may leave some useful instructions to those of my own order and profession, by representing to them the conduct of the bishops of Scotland: for having observed with more than ordinary niceness all the errors that were committed, both at the first setting up of episcopacy, and in the whole progress of its continuance in Scotland, till it was again overturned there, I am enabled to set all that matter in a full view, and in a clear light.

As soon as it was fixed that the king was to be restored, a great many went over to make their court: among these Sharp, who was employed by the resolutioners of Scotland, was one. He carried with him a letter from the earl of Glencairn to Hyde, made soon after earl of Clarendon, recommending him as the only person capable to manage the design of setting up episcopacy in Scotland: upon which he was received into great confidence. Yet, as he had observed very carefully the success of Monk's solemn protestations against the king for a commonwealth, it seems he was so pleased with the original that he resolved to copy after it, without letting himself be diverted from it by scruples: for he stuck neither at solemn protestations, both by word of mouth and by letters, (of which I have seen many proofs,) nor at appeals to God of his sincerity in acting, for the presbytery, both in prayers and on other occasions, joining with these many dreadful imprecations on himself if he did prevaricate. He was all the while maintained by the presbyterians as their agent, and continued to give them a constant account of the progress of his negotiation in their service, while he was indeed undermining it. This piece of craft was so visible, he having repeated his protestations to as many persons as then grew jealous of him, that when he threw off the mask, about a year after this, it laid a foundation of such a character of him, that nothing could ever bring people to any tolerable thoughts of a man, whose dissimulation and treachery were so well known, and of which so many proofs were to be seen under his own hand.

With the restoration of the king, a spirit of extravagant joy spread over the nation, that brought on with it the throwing off the very professions of virtue and piety: all ended in entertainments and drunkenness, which over-ran the three kingdoms to such a degree, that it very much corrupted all their morals. Under the colour of drinking the king's health, there were great disorders and much riot every where: and the pretences of religion, both in those of the hypocritical sort, and of the more honest but no less pernicious enthusiasts, gave great advantages, as well as they furnished much matter to the profane mockers of true piety. Those who had been concerned in the former transactions thought they could not redeem themselves from the censures and jealousies that those brought on them, by any method that was more sure and more easy, than by going into the stream and laughing at all religion,

telling, or making, stories to expose both themselves, and their party, as impious and ridiculous\*.

The king was then thirty years of age, and, as might have been supposed, past the levities of youth and the extravagance of pleasure. He had a very good understanding. He knew well the state of affairs both at home and abroad. He had a softness of temper that charmed all who came near him, till they found how little they could depend on good looks, kind words, and fair promises; in which he was liberal to excess, because he intended nothing by them, but to get rid of importunities, and to silence all farther pressing upon him. He seemed to have no sense of religion: both at prayers and sacrament, he, as it were, took care to satisfy people, that he was in no sort concerned in that about which he was employed. So that he was very far from being a hypocrite, unless his assisting at those performances was a sort of hypocrisy (as no doubt it was): but he was sure not to increase that, by any the least appearance of religion. He said once to myself, he was no atheist, but he could not think God would make a man miserable, only for taking a little pleasure out of the way. He disguised his popery to the last. But when he talked freely, he could not help letting himself out against the liberty, that, under the reformation, all men took of inquiring into matters of religion: for, from their inquiring into matters of religion, they carried the humour farther, to inquire into matters of state. He said often, he thought government was a much safer, and easier thing, where the authority was believed infallible, and the faith and submission of the people was implicit: about which I had once much discourse with him. He was affable and easy, and loved to be made so by all about him. The great art of keeping him long was, the being easy, and the making every thing easy to him. He had made such observations on the French government, that he thought a king who might be checked, or have his ministers called to an account by a parliament, was but a king in name. He had a great compass of knowledge, though he never was capable of much application or study. He understood mechanics and physic; and was a good chemist, and much set on several preparations of mercury, chiefly the fixing it. He understood navigation well: but above all he knew the architecture of ships so perfectly, that in that respect he was exact rather more than became a prince. His apprehension was quick, and his memory good. He was an everlasting talker. He told his stories with a good grace: but they came in his way too often. He had a very ill opinion both of men and women; and did not think that there was either sincerity or chastity in the world, out of principle, but that some had either the one, or the other, out of humour or vanity. He thought that nobody did serve him out of love: and so he was quits with all the world, and loved others as little as he thought they loved him. He hated business, and could not be easily brought to mind any: but when it was necessary, and he was set to it, he would stay as long as his ministers had work for him. The ruin of his reign, and of all his affairs, was occasioned chiefly by his delivering himself up at his first coming over to a mad range of pleasure†. One

\* The "Autobiography" of Clarendon gives a similar picture of the depravity of morals and manners that prevailed during the reign of "the merry monarch;" but as might be expected, he attributes all the evil to the protectorate. In the reign of Charles was the harvest of which that of Oliver was the seed time. The ill example was set by England to the court, and not as other contemporaries thought the former was the seduced. He forgets that this depravity was confined chiefly to the aristocracy. The rabble is always vicious. The middle classes vindicated the national honour by purging the throne of the Stuarts in the following reign. This is Clarendon's picture of the national depravity. "Children asked not a blessing of their parents; nor did they concern themselves in the education of their children, but were well content that they should take any course to maintain themselves that they might be free from that expense. The young women conversed without any circumspection or modesty, and frequently met at taverns and common eating-houses; whilst they who were stricter and more severe in their comportment became the wives of the seditious preachers, or of officers of the army. The daughters of noble and illustrious families bestowed them-

selves upon the divines of the time, or other low matches. Every one did that which 'was good in his own eyes.' In a word, the nation was corrupted from that integrity, good nature, and generosity, that had been peculiar to it, and for which it had been signal and celebrated throughout the world."

† If the character of Charles the Second had to be summed up in three appellatives, they might justly be, wit, hypocrite, and profligate—for he was preeminent in all those characters. Illustrative details will occur in the following narrative of his reign; the summary of his character drawn by Dr. Wellwood, another contemporary, is given as closely confirming our author's estimate, though written by no stern censor. "Charles the Second was a prince endowed with all the qualities that might justly have rendered him the delight of mankind, and entitled him to the character of one of the greatest geniuses that ever sat upon a throne, if he had not sullied those excellent parts with the soft pleasures of ease, and had not entertained a fatal friendship that was incompatible with the interest of England. His religion was deism, or rather that which is called so: and if in his exile, or at his death, he went into that of Rome, the first was out of



of the race of the Villiers, then married to Palmer, a papist, soon after made earl of Castlemain, who, afterwards, being separated from him, was advanced to be duchess of Cleveland, was his first and longest mistress, by whom he had five children. She was a woman of great beauty, but most enormously vicious and ravenous: foolish but imperious, very uneasy to the king, and always carrying on intrigues with other men, while yet she pretended she was jealous of him. His passion for her, and her strange behaviour towards him, did so disorder him, that often he was not master of himself, nor capable of minding business, which in so critical a time required great application: but he did then so entirely trust the earl of Clarendon, that he left all to his care, and submitted to his advices as to so many oracles.

The earl of Clarendon was bred to the law, and was like to grow eminent in his profession when the wars began. He distinguished himself so in the House of Commons, that he became considerable, and was much trusted all the while the king was at Oxford. He stayed beyond sea, following the king's fortune, till the restoration; and was now an absolute favourite, and the chief, or the only, minister, but with too magisterial a way. He was always pressing the king to mind his affairs, but in vain. He was a good chancellor, only a little too rough, but very impartial in the administration of justice. He never seemed to understand foreign affairs well: and yet he meddled too much in them. He had too much levity in his wit, and did not always observe the decorum of his post. He was high, and was apt to reject those who addressed themselves to him, with too much contempt. He had such a regard to the king, that when places were disposed of, even otherwise than as he advised, yet he would justify what the king did, and disparage the pretensions of others, not without much scorn; which created him many enemies. He was indefatigable in business, though the gout did often disable him from waiting on the king: yet, during his credit, the king came constantly to him when he was laid up by it\*.

complaisance for the company he was then obliged to keep, and the last to a lazy diffidence in all other religions, upon a review of his past life, and the near approach of an uncertain state. His person was tall and well made; his constitution vigorous and healthy; and it is hard to determine, whether he took more pains to preserve it by diet and exercise, or to impair it by excess in his pleasures. In health he was a great pretender to physic and encourager of quacks, by whom he was often cheated of considerable sums of money for their pretended secrets: but whenever he was indisposed, he consulted his physicians, and depended on their skill only. His face was composed of harsh features, difficult to be traced with the pencil; yet in the main it was agreeable; and he had a noble, majestic mien. In contradiction to all the common received rules of physiognomy, he was merciful, good natured, and, in the last twenty-four years of his life, fortunate; if to succeed in most of his designs may be called so. Never prince loved ceremony less, or despised the pageantry of a crown more; yet he was master of something in his person and aspect that commanded both love and veneration at once. He was a great votary to love, and yet the easiest, and most unconcerned rival. He was for the most part not very nice in the choice of his mistresses, and seldom possessed of their first favours;\* yet would sacrifice all to please them; and upon every caprice of theirs, denied himself the use of his reason, and acted contrary to his interest. He was a respectful, civil husband; a fond father; a kind brother; an easy enemy; but none of the firmest, or most grateful friends; bountiful by starts; one day lavish to his servants; the next leaving them to starve; glad to win a little money at play, and impatient to lose the thousandth part of what within an hour after he would throw away in gross. He seemed to have nothing of jealousy in his nature, either in matters of love or of power. He bore patiently rivals in the one, and competitors in the other; otherwise he

would not have contributed to a foreign greatness at sea, nor given his brother so uncontrolled a share in the government. Though his understanding was quick and lively, with a vast compass of thought, yet he would submit his judgment in the greatest matters to others of much inferior parts: and as he had an extraordinary share of wit himself, so he loved it in others, even when pointed against his own faults and mismanagement. Mechanics were one of his peculiar talents, especially the art of building and working ships; which nobody understood better, nor, if he had lived, would have carried it farther. He had a strong laconic way of expression, and a genteel, easy, and polite way of writing: and when he had a mind to lay aside the king, which he often did in select companies of his own, there were a thousand irresistible charms in his conversation. He loved money only to spend it: and would privately accept of a small sum, paid to himself, in lieu of a far greater to be paid into the exchequer. He did not love business; and sought every occasion to avoid it, which was one reason he passed so much time with his mistresses: yet when necessity called him, none of his council could reason more closely upon matters of state; and he would often, by fits, outdo his ministers in application and diligence. No age produced a greater master in the art of dissimulation; yet no man was less upon his guard, or sooner deceived in the sincerity of others. If he had any one fixed maxim of government, it was to play one party against another, to be thereby more the master of both: and no prince understood better how to shift hands upon every change of scene."

Barbara Villiers, and the other equally noted of the king's concubines, will be noticed in a subsequent page.

\* The interesting remarks on the earl by his second son Laurence Hyde, earl of Rochester, are a satisfactory appendix to the above character. These remarks were written on the 9th of December, 1675. "This is the first anniversary day of my father's death, which ought to put me in mind of recollecting myself how I have passed this whole year, the first that I have been left absolutely to

\* See also Reresby's Memoirs, 7.

The next man in favour with the king was the duke of Ormond : a man every way fitted for a court, of a graceful appearance, a lively wit, and a cheerful temper : a man of great expense, decent even in his vices, for he always kept up the form of religion. He had gone through many transactions in Ireland with more fidelity than success. He had made a treaty with the Irish, which was broken by the great body of them, though some few of them adhered still to him. But the whole Irish nation did still pretend that, though they had broken the agreement first, yet he, or rather the king in whose name he had treated with them, was bound to perform all the articles of the treaty. He had miscarried so in the siege of Dublin, that it very much lessened the opinion of his military conduct. Yet his constant attendance on his master, his easiness to him, and his great sufferings for him raised him, to be lord steward of the household, and lord lieutenant of Ireland. He was firm to the protestant religion, and so far firm to the laws, that he always gave good advices : but when bad ones were followed, he was not for complaining too much of them \*.

The earl of Southampton was next to these. He was a man of great virtue, and of very good parts. He had a lively apprehension, and a good judgment. He had merited much by his constant adhering to the king's interest during the war, and by the large supplies he had sent him every year during his exile : for he had a great estate, and only three daughters to inherit it. He was lord treasurer : but he soon grew weary of business, as he was subject to the stone, which returned often and violently upon him ; so he retained the principles of liberty, and did not go into the violent measures of the court. When he saw the king's temper, and his way of managing, or rather of spoiling business, he grew very uneasy, and kept himself more out of the way than was consistent with that high post. The king stood in some awe of him : and saw how popular he would grow, if put out of his service : and, therefore, he chose rather to bear with his ill humour and contradiction, than to dismiss him. He left the business of the treasury wholly in the hands of his secretary, sir Philip Warwick, who was an honest, but a weak man, and understood the common road of the treasury. He was an incorrupt man, and during seven years management of the treasury made but an ordinary fortune out of it. Before the restoration, the lord treasurer had but a small salary, with an allowance for a table ; but he gave, or rather sold, all the subaltern places, and made great profits out of the estate of the crown : but now, that estate being gone, and the earl of Southampton disdaining to sell places, the matter was settled so, that the lord treasurer was to have 8000*l.* a year, and the king was to name all the subaltern officers. It continued to be so all his time : but since that time the lord treasurer has both the 8000*l.* and a main hand in the disposing of those places †.

my own free choice and direction, without that awe and restraint our parents have, or should have, over us. \* \* I would spend this day particularly, with some reverence to the memory of the best of fathers, and the kindest and wisest friend I ever met with : according to whose counsels I pray God I may regulate my actions, and live and die according to his practice, in imitation of his virtue and honesty towards man, his integrity and duty to the king, (though mistaken and rejected by him), and his piety and resignation to God Almighty."—Singer's Clarendon Correspondence, i. 645. The best commentary upon the earl of Clarendon is his "Autobiography," and its "Continuation": no man need be less afraid of having his path traced and recorded. Sir Philip Warwick, who knew him well, says he was cheerful, industrious, active, and confident in his abilities, which were sound. He adds that he was agreeably eloquent both with his tongue and pen, although his written style was a little too redundant.—Memoirs, 196.

\* The duke of Ormond from his youth, till death separated them, was the intimate friend of Clarendon. Burnet's character of him is not sufficiently commendatory to be just. All the histories of his time will show how firm he was in his principles; these, and his "Life," by Mr. Carte, testify that Clarendon was not speaking carelessly when he said that his friend was "a man so accomplished, that he had either no enemies, or only such as

were ashamed to profess they were so."—Hist. of the Rebellion, iii. 125, fol. ed.

† The character given in the "Continuation" of Clarendon's Autobiography coincides entirely with that stated in the text, of this talented and incorruptible statesman. "He was a person," says this authority, "of extraordinary parts, of faculties very discerning and a judgment very profound, having great eloquence in his delivery, without the least affectation of words, for he always spoke best on the sudden. In the beginning of the troubles he was looked upon amongst those lords who were least inclined to the court, and so, most acceptable to the people : in truth he was not obliged by the court, and thought himself oppressed by it, which his great spirit could not bear ; and so he had for some years forbore to be much there, which was imputed to a habit of melancholy, to which he was naturally inclined, though it appeared more in his countenance than in his conversation, which to those with whom he was acquainted was very cheerful. He was not only an exact observer of justice, but so clear-sighted a discernor of all the circumstances which might disguise it, that no false colour could impose upon him ; and of so impartial and sincere a judgment that no prejudice to the person of any man made him less awake to his cause ; but believed that there is *aliquid et in hostem nefas*, and that a very ill man might be unjustly dealt with." The same authority gives its testimony to the earl's piety, loyalty, and courage.

The man that was in the greatest credit with the earl of Southampton was sir Anthony Ashley Cooper, who had married his niece, and became afterwards so considerable that he was raised to be earl of Shaftesbury; and since he came to have so great a name, and that I knew him for many years in a very particular manner, I will dwell a little longer on his character, for it was of a very extraordinary composition. He began to make a considerable figure very early. Before he was twenty he came into the House of Commons, and was on the king's side, and undertook to get Wiltshire and Dorsetshire to declare for him; but he was not able to effect it: yet prince Maurice breaking articles to a town, that he had got to receive him, furnished him with an excuse to forsake that side, and to turn to the parliament. He had a wonderful faculty in speaking to a popular assembly, and could mix both the facetious and the serious way of arguing very agreeably. He had a particular talent to make others trust to his judgment, and depend on it; and he brought over so many to a submission to his opinion, that I never knew any man equal to him in the art of governing parties, and of making himself the head of them. He was as to religion a deist at best; he had the dotage of astrology in him to a high degree: he told me that a Dutch doctor had from the stars foretold him the whole series of his life; but that which was before him, when he told me this, proved false, if he told me true: for he said, he was yet to be a greater man than he had been. He fancied that after death our souls lived in the stars. He had a general knowledge of the slighter parts of learning, but understood little to the bottom; so he triumphed in a rambling way of talking, but argued slightly when he was held close to any point. He had a wonderful faculty at opposing, and running things down, but had not the like force in building up. He had such an extravagant vanity in setting himself out, that it was very disagreeable. He pretended that Cromwell offered to make him king; he was indeed of great use to him in withstanding the enthusiasts of that time. He was one of those who pressed him most to accept of the kingship, because, as he said afterwards, he was sure it would ruin him. His strength lay in the knowledge of England, and of all the considerable men in it. He understood well the size of their understandings, and their tempers; and he knew how to apply himself to them so dexterously, that, though by his changing sides so often it was very visible how little he was to be depended on, yet he was to the last much trusted by all the discontented party. He was not ashamed to reckon up the many turns he had made; and he valued himself on the doing it at the properest season, and in the best manner. This he did with so much vanity, and so little discretion, that he lost many by it. And his reputation was at last run so low, that he could not have held much longer, had he not died in good time, either for his family or for his party: the former would have been ruined, if he had not saved it by betraying the latter\*.

\* So general has been the agreement of writers in vilifying lord Shaftesbury, and so usual is it to stigmatise him with the agnomen of "the infamous," that it may seem to many persons as an affectation of singularity, if it does not subject the writer to worse reflections, to declare the belief that his lordship has been misrepresented: yet there is sufficient evidence to justify the opinion, that so far from being an abandoned profligate, and a corrupt statesman, he was a conscientious man, and an enlightened patriot. To suppose that he never erred is to imagine him super-human; but to say that he seldom was intentionally wrong is no more than the evidences I have examined warrant as a conclusion. In private life we have no testimony that he was depraved—four wives afford some testimony that he was not notoriously a bad husband—he enjoyed the friendship of many distinguished persons, among whom were Mr. Stringer, Mr. Locke, and Dr. Whicheote; men of distinguished virtues, and who, having no political enemies, unlike their noble friend, have left their fame to us free from the distortions of prejudice. His attentions to religious duties were constant, and his chaplain constantly resided in the house. The last hours of the earl's life are stated to have been marked by uncommon patience, resignation, and fortitude; and the gentry, his neighbours, in the county of Dorset, bore an

unsophisticated testimony of their regard for him, when they, unsolicited, rode to meet his body when it was landed at Poole, and accompanied it to its last resting-place, Wimborne St. Giles.

To follow him through his political career is not the ungrateful task to an honourable mind, which it has been represented. He commenced it in 1640, and was the friend of the sovereign;—not an ultra-Tory, but a moderate monarchist—and he evinced this in his personal interview with Charles the First. He told the king he was convinced he could restore a general unity. "If your majesty will empower me to treat with the parliamentary garrisons, to grant them a full and general pardon, with an assurance that a general amnesty shall reinstate all things in the same posture they were before the war, and then a free parliament shall do what more remains to be done for the settlement of the nation." The power was given, and he succeeded as far as he was allowed to proceed, but prince Maurice thwarted his designs, and the partizans of the queen and of absolute monarchy regained the ascendancy in the councils of the temporising monarch. Of their principles the earl disapproved. Slighted and disliked by them, he retired from the court party, and sided with the parliament, against the efforts of those whom he found would be contented with nothing short of despotism. Where is



Another man, very near of the same sort, who passed through many great employments, was Annesly, advanced to be earl of Anglesey, who had much more knowledge, and was very learned, chiefly in the law. He had the faculty of speaking indefatigably upon every subject; but he spoke ungracefully, and did not know that he was not good at raillery, for he was always attempting it. He understood our government well, and had examined far into the original of our constitution. He was capable of great application, and was a man of a grave deportment; but stuck at nothing, and was ashamed of nothing. He was neither loved nor trusted by any man or any side; and he seemed to have no regard to common decencies, but sold every thing that was in his power; and sold himself so often, that at last the price fell so low, that he grew useless\*.

Hollis was a man of great courage, and of as great pride; he was counted for many years the head of the presbyterian party. He was faithful and firm to his side, and never changed through the whole course of his life. He engaged in a particular opposition to Cromwell in the time of the war. They hated one another equally. Hollis seemed to carry this too far; for he would not allow Cromwell to have been either wise or brave, but often applied Solomon's observation to him, "That the battle was not to the strong, nor favour to the man of understanding, but that time and chance happened to all men." He was well versed in the records of Parliament, and argued well, but too vehemently, for he could not bear contradiction. He had the soul of an old stubborn Roman in him. He was a faithful but a rough friend, and a severe but fair enemy. He had a true sense of religion, and was a man of an unblameable course of life, and of a sound judgment when it was not biassed by passion. He was made a lord for his merits in bringing about the Restoration†.

the Englishman that will condemn him?—That he had been no spy and traitor is proved by his suffering imprisonment rather than inculcate lord Hollis; and by his letter to Charles the second, in which it would be useless to insert the falsehood, if it was one: "I never betrayed, as your majesty knows, the party or councils I was of." When he found the parliamentary party leaning to a republic, and when he felt assured of the ambitious designs of Cromwell, he exerted himself to the utmost to oppose them; the first by encouraging the people to rise and declare themselves partisans of neither party, but anxious for a treaty which would restore the laws and the constitution; the latter by signing the well-known protestation, charging Cromwell with tyranny and despotism. Deceived by the declarations in favour of religious liberty and moderate measures, with many others who had cause to rue their credulity, he supported the restoration of Charles the second. He was by this monarch named to be one of the commissioners for trying the regicides; an office he might with more credit to himself have declined, though it was not an act deserving the character of apostate cruelty, for they were no friends of his upon whom he sat in judgment, and their crimes he had ever condemned. In the same reign he became lord chancellor, and that he executed his high office with honour to himself, and satisfaction to the public, we have the assent of one of his greatest detractors, Dryden, who thus characterises his official conduct:—

"Unbribed, unsought, the wretched to redress,  
Swift to despatch, and easy of access."

As a privy councillor and a minister he acted with vigour and consistency, and where the acts of the ministry with which he was connected do not accord with his moderate declared principles, we have the satisfaction of finding he protested against them, and only leave us a regret that he did not acquire honourable dignity by retiring from colleagues with whom he did not agree. The charge against him of instigating the popish plot, and then prosecuting the agents he employed, is supported by no proof, and is refuted by the fact that none of the condemned criminals ever impeached him. Throughout his life he was a friend to the liberty of the subject, and had a hatred to an abso-

lute monarchy. When the king prorogued the parliament for fifteen months, Shaftesbury saw its encroachment upon those liberties, and argued so strenuously that such a long recess caused *ipso facto* a dissolution, that he was imprisoned. He was a staunch promoter of the habeas corpus act. He knew the principles of the duke of York, afterwards the infatuated James the second, and wished to have him excluded from the throne, which procured him the hatred of that monarch's partisans, and from their power he was at length compelled to retire into Holland. Such was the conduct of the first lord Shaftesbury; yet this man has been handed down by political writers as one of the basest of men. The reason is tolerably evident; he was too moderate in his principles to please the republican Whigs, or absolute Tories, of his period;—his comprehensive mind and splendid oratory had embodied and animated a line of politics which satisfied neither; a line of temperate politics, however, which led to the revolution, and which inspires our national councils at the present day. Many notices of this statesman will occur in future pages; but those who wish for a fuller memoir may consult his life, published under the title of "Rawleigh Redivivus;" Locke's Memoirs of him; Dalrymple's "Memoirs" and "Reviews;" the edition of the Biographia Britannica by Kippis, and his "Life" by Mr. Cooke.

\* This character is too severe; the opinion of other authorities will be stated in a future note.

† Besides what the editor collected concerning this truly noble character in the "Memoirs of John Selden," there is no need to add any thing to testify how entirely authorities agree in applauding him. It is true that in the despatches of M. Barillon to his master, Louis the fourteenth (Dalrymple's Memoirs, ii. 260), he is stated by that profligate agent to have accepted bribes from the French court; but he brings the same charge against lord Russell and Algernon Sidney. No one act of the lives of these martyrs in the cause of freedom, or of lord Hollis, supports even the suspicion of such a charge. That Barillon received the money may be granted; the only question is, whether he kept, or those patriots accepted, the bribe.

Tardo, quæ credita ledunt, credimus

The earl of Manchester was made lord chamberlain ; a man of a soft and obliging temper, of no great depth, but universally beloved, being both a virtuous and a generous man \*. The lord Roberts was made lord privy seal, afterwards lord lieutenant of Ireland, and at last lord president of the council. He was a man of a more morose and cynical temper, just in his administration, but vicious under the appearances of virtue ; learned beyond any man of his quality, but intractable, stiff and obstinate, proud and jealous †.

These five, whom I have named last, had the chief hand in engaging the nation in the design of the Restoration. They had great credit, chiefly with the presbyterian party, and were men of much dexterity. So the thanks of that great turn were owing to them ; and they were put in great posts by the earl of Clarendon's means, by which he lost most of the cavaliers, who could not bear the seeing such men so highly advanced, and so much trusted.

At the king's first coming over, Monk and Montague were the most considered ; they both had the Garter. The one was made duke of Albemarle, and the other earl of Sandwich, and had noble estates given them. Monk was ravenous, as well as his wife, who was a mean, contemptible creature. They both asked, and sold all that was within their reach, nothing being denied them for some time, till he became so useless, that little personal regard could be paid him. But the king maintained still the appearances of it ; for the appearance of the service he did him was such, that the king thought it fit to treat him with great distinction, even after he saw into him, and despised him ‡. He took care to raise his kinsman,

\* This character of Edward Montague, earl of Manchester, we may consider as faithful, because contemporary partisans of all hues coincide in his portraiture. He was known during the civil contest as lord Kimbolton, and as viscount Mandeville ; and finally, upon the death of his father, the lord privy seal, he became earl of Manchester. Two other contemporaries describe him as gentle, generous, talented, and well-educated ; and disapproving, as they did, his political conduct, yet they could find in him no fault for reprehension. Their gentle censure is, indeed, his greatest praise. "He loved his country," says Clarendon, "with too unskilful a tenderness ;"—and sir Philip Warwick says, "that with all his good nature he did the royal cause as much harm as any of its opponents ; that is, he did his duty, for he commanded the parliament army. He was equally the friend of freedom and monarchy. Up to the battle of Newbury in 1644, he acted vigorously against the king ; but at that era, probably, he became aware of the fatal consequences to monarchy that would ensue if the royal army was destroyed. He was suspected, and removed from his command. He assisted in promoting the restoration of Charles the second, and was appointed, by this king, lord chamberlain of his household. He died in 1671, aged sixty-nine. See a full account of him in Clarendon's *History of the Rebellion*, particularly in the second volume, p. 161—the continuation of his autobiography, ii. 26, fo. ed., and sir Philip Warwick's *Memoirs*, 246.

† John, lord Roberts, succeeded to that title upon the death of his father. They were a Cornwall family. He was a member of the long parliament, adhered to the opponents of the king, and fought against him successfully both as a subaltern and general. He opposed the extreme measures which led to the execution of Charles the first ; withdrew from public affairs during the protectorate ; but upon the Restoration, in effecting which he was very influential, he returned to court, and obtained the offices mentioned in the text. He was made lord privy seal in 1662, but his conduct did not give satisfaction to the rest of the king's council. Ireland was at this juncture in a very distracted state, particularly on account of the settling the various claims to its forfeited estates. Lord Roberts, being a man of more than common intelligence, well versed in the laws, and esteemed of an integrity not to be corrupted with money, was chosen to be sent to that country ; but it

had been forgotten, in the anxiety to remove him, that he was morose, difficult of access, pedantic to an excess that delayed affairs, and excessively proud. These ill qualities soon rendered his removal from the Irish appointment necessary ; for he treated the most noble of the Irish so superciliously, and even contemptuously, that after they had waited upon him a few days, they requested of the king to be excused attending him. He was a man of too much influence to be treated with indifference, so with some art he was persuaded to resign the appointment, and accept the office of president of the council, with the title of earl of Radnor. This was in 1679. He survived this appointment six years. To show his extraordinary talent, he is said to have found a way more to obstruct and puzzle business than any man, as lord privy seal, had ever done before. This was so extreme that the king gave orders that grants and patents requiring haste should pass by immediate warrant to the great seal. It is doubtful if this conduct of the earl does not require more commendation than censure, for he lived in a reign when such grants were too profusely disbursed.—Wood's *Athenæ Oxon.* ii. 787, fo. ed.—Continuation of Clarendon's *Life*, ii. 67, and 102, fo. ed. A daughter of the earl was married, first, to the earl of Drogheda, and secondly to Wycherley, the poet. Her introduction to the latter was remarkable. She inquired in a shop at Tonbridge for "The Plain Dealer." Wycherley, its author, was standing by, and a gentleman promptly replied to her, and pointing to him, "Madaun, there is the Plain Dealer for you." An acquaintance ensued that ended in their marriage.—*Grainger's Biog. Dict.* iv. 140, ed. 1824.

‡ If the duke of Albemarle's character is estimated from a view of his talents and courage as a commander, either of land or sea forces, he must rank very high in the scale of merit ; but if we consider his worth as a statesman or as a private individual, he sinks decidedly to mediocrity. He was at first attached to the royalist cause ; then he united with Cromwell whilst in the ascendant ; and, finally, when the popular feeling again vacillated to the Stuarts, he was judiciously active in securing the Restoration. It is possible that throughout he was a royalist—in that case he was base and perjured, for he took the covenant ; but the most probable conclusion to be drawn from the facts of his life is, that he was willing to be any thing by profession that would best serve his interests. If the characters

Granville, who was made earl of Bath and groom of the stole, a man who thought of nothing but of getting and spending money \*. The duke of Albemarle raised two other persons; one was Clarges, his wife's brother, who was an honest, but haughty man. He became afterwards a very considerable parliament man, and valued himself on his opposing the court, and on his frugality in managing the public money; for he had Cromwell's economy ever in his mouth, and was always for reducing the expense of war to the modesty and parsimony of those times. Many thought he carried this too far, but it made him very popular. After he was become very rich himself by the public money, he seemed to take care that nobody else should grow as rich as he was in that way †. Another man, raised by the duke of Albemarle, was Morrice, who was the person that had prevailed with Monk to declare for the king: upon that he was made secretary of state. He was very learned, but full of pedantry and affectation. He had no true judgment about foreign affairs; and the duke of Albemarle's judgment of them may be measured by what he said, when he found the king grew weary of Morrice, but that in regard to him he had no mind to turn him out; "he did not know what was necessary for a good secretary of state in which he was defective, for he could speak French and write short hand ‡."

of him, given by his friends, as well as by his enemies, be compared, they amount to this outline, that he was courageous, cunning, and selfish. He died in 1670.

Anne, his wife, had been his mistress. Aubrey says, that when Monk was confined in the Tower, his sempstress, Nan Clarges, a blacksmith's daughter, was kind to him in a double capacity. It must be remembered that he was then in want, and that he was indebted to her for assistance. She became pregnant by him, though it is certain that he could not be fascinated either by her beauty or cleanliness. She never could lose the manners of her early life; but when of the highest dignity in the peerage gave way to the most violent bursts of rage, and when under their influence poured forth a most eloquent torrent of curse-sprinkled abuse. Her husband was unquestionably afraid of her; she was always a royalist, and as he had a high opinion of her mental qualifications, she probably influenced him considerably in the course he adopted. If this is doubtful, it is not at all so that she sided with the utmost care and natural rapacity in obtaining all the rewards she could for his services.—Skinner's Life of the Duke of Albemarle—Sir P. Warwick's Memoirs, 408, &c.—Continuation of Clarendon's Life, ii. 25.

Sir P. Warwick states decidedly that Monk was requested to accept the crown by Haselrig and his party in the parliament. He was descended from an illegitimate son of Edward the fourth. Monk was too wise to attempt this crusade.—Memoirs, 426.

\* That sir John Granville was a grasping courtier, may be true, for upon the death of the duke of Albemarle he desired, but was denied, Theobalds, which then reverted to the crown. It is true his services merited a high reward, for he was a very active agent in carrying on the correspondence between Charles the second when in exile, and those who were his declared friends, or whom he wished to gain to that band of supporters; yet in accordance with those merits, he was advanced to the titles of Lord Granville of Kilkhampton and Biddiford, viscount Granville of Lansdown, the battle where his father was slain, and earl of Bath. He was made a privy councillor, groom of the stole, first gentleman of the bedchamber, and lord warden of the stanneries, with a pension of £3000 a year.—Memoirs of illustrious Persons who died in the year 1711, p. 336, a work of authority, and which was the first annual obituary published. Its date is 1712. See also the Diaries and Correspondence of the Earls of Clarendon and Rochester, i. 658.—Clarendon's History of the Rebellion, ii. and iii.—Warwick's Memoirs, 481, &c.—Wood's Fasti, &c.

† Sir Thomas Clarges was of low extraction, being the

brother of the duchess of Albemarle, mentioned in the last note but one; yet from the figure he made as a debater in the House of Commons, the intimacy he had with the second earl of Clarendon, and his employment in the delicate office of negotiating with his brother-in-law to assist in the Restoration of Charles the second, he must have been a man of intellect and discretion. It is believed that Mr. Phillips, the continuor of Baker's Chronicle, had his chief materials from sir Thomas Clarges. Sir Philip Warwick describes him as being busy and active. He opposed the exclusion of James the second from the throne, and was inimical to the revolution.—Correspondence, &c. of the Earls of Clarendon and Rochester, *passim*.—Wood's Athenæ, ii. 72, fo.—Warwick's Memoirs, 420—Gray's Debates in Parliament, *passim*.

‡ Sir William Morrice was related by his wife, a daughter of sir Nicholas Prideaux, to the duke of Albemarle. The duke had entrusted him with the management of his Devonshire affairs, and found he acted so discreetly, that he made a more intimate acquaintance, and employed him as his chief agent in negotiating with the royalist party. The king partook of this confidence, and in February, 1660, entrusted him with the signet of the secretary of state, to which office he was eventually appointed. He was one of the members excluded from the long parliament, and continued in the senate until his retirement from office, at his own desire, in 1668. He returned to his country residence, and passed the remainder of his life in that literary ease which most delighted him. He died in 1676. It is certain that he was not qualified for the state office to which he had been promoted; for although learned, his learning was chiefly from the older classics; he knew very little of foreign nations. The king is said to have promoted him to the secretaryship purely to oblige the duke, and he was continued only because his removal might disoblige the same influential nobleman. Whilst in office he behaved honestly, diligently, and without reproach. What was very important was his high reputation in the House of Commons. In contradiction of the saying concerning him attributed to the duke by our author, it is said by another authority that he had no knowledge of modern languages, often making the king laugh by his false pronunciation. He discoursed with the ambassadors in Latin fluently and elegantly. He was moral and virtuous; for the same authority says, in all domestic affairs no man doubted his sufficiency, except in the garb, and mode, and humour of the court. He was a presbyterian, and wrote one or two theological tracts.—Wood's Athenæ Oxon, ii. 571.—Continuation of Clarendon's Life, ii. 193—Warwick's Memoirs, 420. It is said of him, he would



Nicolas was the other secretary, who had been employed by king Charles the first during the war, and had served him faithfully, but had no understanding in foreign affairs. He was a man of virtue, but could not fall into the king's temper, or become acceptable to him\*. So not long after the Restoration, Bennet, advanced afterwards to be earl of Arlington, was, by the interest of the popish party, made secretary of state; and was admitted into so particular a confidence, that he began to raise a party in opposition to the earl of Clarendon. He was a proud man. His parts were solid, but not quick. He had the art of observing the king's temper, and managing it beyond all the men of that time. He was believed a papist: he had once professed it, and when he died, he again reconciled himself to that church; yet in the whole course of his ministry, he seemed to have made it a maxim, that the king ought to show no favour to popery, but that all his affairs would be spoiled if ever he turned that way, which made the papists become his mortal enemies, and accuse him as an apostate, and the betrayer of their interests†. His chief friend was Charles Berkley, made earl of Falmouth, who without any visible merit, unless it was the managing the king's amours, was the most absolute of all the king's favourites: and, which was peculiar to himself, he was as much in the duke of York's favour as in the king's. Berkley was generous in his expense; and it was thought, if he had outlived the lewdness of that time, and come to a more sedate course of life, he would have put the king on great and noble designs. This I should have thought more likely, if I had not had it from the duke, who had so wrong a taste, that there was reason to suspect his judgment both of men and things. Bennet and

never suffer any man to say grace in his house except himself; "there," he said, "he was both priest and king." —*Grainger's Eng. History*, v. 101.

\* The character of Sir Edward Nicolas is sketched in a few words by his contemporary, Sir Philip Warwick, a character coincident with that given him by partisans of all hues. "He was a gentleman of good natural and acquired parts, of unshaken loyalty, eminent probity, and indefatigable industry." He was educated for the legal profession, and was from an early age connected with public affairs. He was successively one of the six clerks in chancery, and secretary to the high admirals, lord Zouch and the duke of Buckingham; the latter was talking to him when stabbed by Felton. Subsequently he was clerk of the council, and secretary of state in 1642. He was the intimate friend of the lord chancellor Clarendon. In the "Autobiography" of the latter is an interesting account of the amiable firmness with which he refused to be made secretary of state, to the disparagement of his old friend. He adhered to Charles the first through all his adversity; was forced into exile during the whole of the interregnum; and was continued in his secretaryship by Charles the second, until his integrity was found to be inconvenient. The ruin of Clarendon had been determined, and a preliminary step was to remove his friend, sir Edward, and appoint in his place an inveterate foe, sir Henry Bennet. The intrigue was sustained successfully by the king's mistress, Mrs. Palmer, and the steps are detailed in the *Continuation of Clarendon's Life*. Sir Edward saw it was useless to oppose the proceeding, but he expressed to the king a hope that after more than forty years of service to the crown, he should not be exposed to disgrace; and reminded his majesty that he had a wife and children who had suffered with him in exile, and that he could not completely provide for them without the royal bounty. The king gave him £20,000. He retired from office in 1663, and died six years after, aged seventy-seven. Full and interesting information concerning this truly amiable and worthy man may be read in *Clarendon's Autobiography*; *Papers*, and *History of the Rebellion*; *Grainger's Biographical Dictionary*; *Carte's Collection of Letters*; and *Wood's Fasti Oxoniensis*, i. 236. fo.

† Of sir Henry Bennet, earl of Arlington, no more lengthy notice need be taken here than to mention some

of the facts of his early and concluding days, as the chief transactions of his official life will have to be noticed in various succeeding pages. He was born in 1618, being the son of sir John Bennet, of Arlington, in Middlesex. His mother was the daughter of sir John Crofts; and thence, according to Wood, he became the nephew of Killigrew, the wit, generally known as Charles the second's jester. When at Oxford he was distinguished as an easy versifier, and several of his productions were published. Upon the king, Charles the first, coming to Oxford, Bennet volunteered into his army, and was besides chosen to be his chief secretary by lord Digby, then secretary of state. This might have excused him from active service in arms, but his spirit would not permit; and he bore, especially upon his nose, many honourable scars acquired in the onslaught of battle. When declining in favour with Charles the second, with little wit and less gratitude, this monarch allowed him to be mimicked in his presence by some of his ribald courtiers, who condescended to put a patch on their noses, and to strut about with a staff in imitation of the earl's gait. — *Eclard's Hist. of England*, 911. He adhered to the royalist cause during the whole interregnum; became secretary to the duke of York, and was knighted at Bruges in 1658. This was just previous to his being sent as lieger to the court of Spain, from whence he was recalled at the Restoration, and made keeper of the privy purse, until, as we have just noticed, he was intrigued into the office of secretary of state.

He died in 1685. The statement of Burnet, that he reverted to papacy on his death-bed, seems altogether doubtful. He always opposed the papal interest; recommended the withdrawal from England of James the second, when duke of York; always professed himself a protestant; and certainly educated his only daughter in communion with that persuasion.

A full and impartial biography of this statesman is in the *Biographia Britannica*. See also Wood's *Fasti Oxoniensis*, ii. 155 — *Athenæ*, ii. 1081 — *Miscellanea Aulica* — *Clarendon's Hist. of the Rebellion* — *Carte's Life of the Duke of Ormond* — *North's Examen* — *Babington's Letters of the Earl of Arlington* — *Sir W. Temple's Works* — *Continuation of Clarendon's Life*, ii. 181, 358, &c.

Berkley had the management of the mistress \* ; and all the earl of Clarendon's enemies came about them ; the chief of whom were the duke of Buckingham and the earl of Bristol.

The first of these was a man of noble presence. He had a great liveliness of wit, and a peculiar faculty of turning all things into ridicule with bold figures and natural descriptions. He had no sort of literature : only he was drawn into chemistry : and for some years he thought he was very near finding the philosopher's stone ; which had the effect that attends on all such men as he was, when they are drawn in, to lay out for it. He had no principles of religion, virtue, or friendship. Pleasure, frolic, or extravagant diversion, was all that he laid to heart. He was true to nothing, for he was not true to himself. He had no steadiness nor conduct : he could keep no secret, nor execute any design without spoiling it. He could never fix his thoughts, nor govern his estate, though then the greatest in England. He was bred about the king : and for many years he had a great ascendant over him : but he spake of him to all persons with that contempt, that at last he drew a lasting disgrace upon himself. And he at length ruined both body and mind, fortune and reputation equally. The madness of vice appeared in his person in very eminent instances ; since at last he became contemptible and poor, sickly, and sunk in his parts, as well as in all other respects, so that his conversation was as much avoided as ever it had been courted. He found the king, when he came from his travels in the year 45, newly come to Paris, sent over by his father when his affairs declined : and finding the king enough inclined to receive ill impressions, he, who was then got into all the impieties and vices of the age, set himself to corrupt the king, in which he was too successful, being seconded in that wicked design by the lord Percy. And to complete the matter, Hobbs was brought to him, under the pretence of instructing him in mathematics : and he laid before him his schemes, both with relation to religion and politics, which made deep and lasting impressions on the king's mind. So that the main blame of the king's ill principles, and bad morals, was owing to the duke of Buckingham †.

The earl of Bristol was a man of courage and learning, of a bold temper and a lively wit, but of no judgment, nor steadiness. He was in the queen's interest during the war at Oxford. And he studied to drive things past the possibility of a treaty, or any reconciliation ; fancying that nothing would make the military men so sure to the king, as his being sure to them, and giving them hopes of sharing the confiscated estates among them ; whereas, he thought, all discourses of treaty made them feeble and fearful. When he went beyond sea he turned papist. But it was after a way of his own : for he loved to magnify the difference between the church and the court of Rome. He was esteemed a very good speaker : but he was too copious, and too florid. He was set at the head of the popish party, and was a violent enemy of the earl of Clarendon ‡.

\* The only virtues of the earl of Falmouth were constancy in his attachment to the Stuarts, and determined courage. These were family endowments ; his father, sir Charles Berkley, possessed them, as did his other son, admiral sir William Berkley. The earl and his brother were both killed at sea, fighting against the Dutch. In other respects the earl was a wretched profligate. To curry favour with the prevailing interest of the Stuart family, he was base enough to declare that he had been criminally connected with the earl of Clarendon's daughter, whom James the Second, then duke of York, was about to marry ; but when he saw it to his interest, he as promptly confessed that to be a calumny, and begged the lady's pardon. For these and other sycophantic vile services, he was gradually raised from being captain of the guard to be keeper of the privy purse, in the place of sir Henry Bennet, just noticed ; and soon after viscount Fitzharding, and earl of Falmouth. He was such a favourite with Charles the second, that the monarch refused him nothing ; though, as the continuor of Clarendon's Life observes, he was dissolute, and prone to every kind of wickedness. If he had been virtuous, he would not have been a favourite of the kingly companion of Rochester, Buckingham, and a court of prostitutes. — Clarendon's Autobiography, continued ii. 33, &c.

† This profligate nobleman has already been noticed.

‡ The earl of Bristol is more generally known for the parts he acted in the farcical and tragical passages of the parliamentary war, as George, lord Digby. It is impossible to follow this eccentric nobleman through all the romantic adventures and extraordinary changes of his life. In early youth he acquired that learning and taste for literature that never left him : this, and that his courage was united to a readiness to forgive injuries, are all that can be said in his favour. As a politician, at first he supported the parliament, but subsequently joined Charles the first ; he conducted the charges against Strafford, and then opposed his execution ; during the interregnum, he entered the service of France, strove to become its prime minister ; and then joined their deadly enemies, the Spaniards, and became with them as great a favourite ; at first a protestant, and writer against popery, he in conclusion became a professor of this religion, yet with inveterate inconsistency voted in favour of the Test Act. No rebuffs broke his spirit ; no intrigues were too subtle, no adventures too daring or romantic for him to undertake : he had the unfortunate talent of converting his best friends into his most inveterate foes. The earl of Clarendon, his constant friend, he impeached of high treason. With large paternal estates, he managed to settle them

Having now said as much as seems necessary to describe the state of the court and ministry at the Restoration, I will next give an account of the chief of the Scots, and of the parties that were formed among them. The earl of Lauderdale, afterwards made duke, had been for many years a zealous covenanters: but in the year forty-seven he turned to the king's interests; and had continued a prisoner all the while after Worcester fight, where he was taken. He was kept for some years in the Tower of London, in Portland Castle, and in other prisons, till he was set at liberty by those who called home the king. So he went over to Holland. And since he continued so long, and contrary to all men's opinions, in so high a degree of favour and confidence, it may be expected that I should be a little copious in setting out his character; for I knew him very particularly. He made a very ill appearance: he was very big: his hair red, hanging oddly about him: his tongue was too big for his mouth, which made him bedew all that he talked to: and his whole manner was rough and boisterous, and very unfit for a court. He was very learned, not only in Latin, in which he was a master, but in greek and hebrew. He had read a great deal of divinity, and almost all the historians, ancient and modern: so that he had great materials. He had with these an extraordinary memory, and a copious but unpolished expression. He was a man, as the duke of Buckingham called him to me, of a blundering understanding. He was haughty beyond expression, abject to those he saw he must stoop to, but imperious to all others. He had a violence of passion that carried him often to fits like madness, in which he had no temper. If he took a thing wrong, it was a vain thing to study to convince him: that would rather provoke him to swear, he would never be of another mind: he was to be let alone: and perhaps he would have forgot what he had said, and come about of his own accord. He was the coldest friend and the most violent enemy I ever knew: I felt it too much not to know it. He at first seemed to despise wealth: but he delivered himself up afterwards to luxury and sensuality: and by that means he ran into a vast expense, and stuck at nothing that was necessary to support it. In his long imprisonment he had great impressions of religion on his mind: but he wore these out so entirely, that scarce any trace of them was left. His great experience in affairs, his ready compliance with every thing that he thought would please the king, and his bold offering at the most desperate counsels, gained him such an interest in the king, that no attempt against him, nor complaint of him, could ever shake it, till a decay of strength and understanding forced him to let go his hold. He was in his principles much against popery and arbitrary government: and yet by a fatal train of passions and interests he made way for the former, and had almost established the latter. Whereas some, by a smooth deportment, made the first beginnings of tyranny less discernible and unacceptable, he by the fury of his behaviour heightened the severity of his ministry, which was liker the cruelty of an inquisition than the legality of justice. With all this he was a presbyterian, and retained his aversion to king Charles I. and his party to his death\*.

The earl of Crawford had been his fellow prisoner for ten years. And that was a good

in such a manner as to be of no avail to himself; and though large sums of money were given him by all the sovereigns he served, yet his gambling and his mistresses, both of which were unlimited, kept him constantly poor. He died in 1677, aged fifty-five. Dr. Kippis sums up his excellent biographical sketch of this nobleman by observing, "that he affords a striking proof that the brightest genius, the most splendid talents, the most extensive knowledge, and the richest eloquence, are of little advantage to their possessor, unless sustained by steadiness of principle, and of conduct." Lord Clarendon, writing to him, advised him not to enter into the French service, but to remain quiet, and gain wisdom by taking a retrospect of his past life; "you may in this disquisition," said his sage friend, "consider by what frowardness of fortune it comes to pass, that a man of the most exquisite parts of nature and art that this age hath brought forth, hath been without success in those very actions for which meaner men have been highly commended; that a man of the most candid and obliging disposition, of the most unrevengful and inoffensive temper and constitution, should not only

have fewer friends in the general crowd of lookers on, than many stubborn and unsociable complexions use to find, but more enemies among those, whose advancement and prosperity he hath contributed to, than ever man met with." Occasion will occur in future pages to notice some of the earl's actions; but more of him will be found, repaying the perusal with amusement and instruction, in Clarendon's Papers, iii. 330, &c.; in the Continuation of Clarendon's Life, and in his History of the Rebellion, as well as in Wood's *Athenæ Oxoniensis*, ii. 579. fo.; Whitelock's Memorials; and the Parliamentary History. A memoir of him by Dr. Kippis, in his edition of the *Biographia Britannica*, has already been quoted.

\* John Hamilton, duke of Lauderdale, was a man without any ambiguity of character—he was mean, selfish, avaricious, and tyrannical; historians, however prejudiced, agree on this point. Clarendon says he was proud, ambitious, insolent, imperious, flattering, and dissembling; qualified for, and practised in, the darkest intrigues; sufficiently courageous not to fail where courage was absolutely necessary, and without impediment of honour to restrain



title for maintaining him in the post he had before, of lord treasurer. He was a sincere but weak man, passionate and indiscreet, and continued still a zealous presbyterian\*. The earl, afterwards duke of Rothes, had married his daughter, and had the merit of a long imprisonment likewise to recommend him: he had a ready dexterity in the management of affairs, with a soft and insinuating address: he had a quick apprehension with a clear judgment: he had no advantage of education, no sort of literature: nor had he travelled abroad: all in him was mere nature†.

The earl of Tweeddale was another of lord Lauderdale's friends. He was early engaged in business, and continued in it to a great age. He understood all the interests and concerns of Scotland well: he had a great stock of knowledge, with a mild and obliging temper. He was of a blameless, or rather an exemplary life in all respects. He had loose thoughts both of civil and ecclesiastical government; and seemed to think, that what form soever was uppermost was to be complied with. He had been in Cromwell's parliament, and had abjured the royal family, which lay heavy on him. But the disputes about the guardianship of the duchess of Monmouth and her elder sister, to which he pretended in the right of his wife, who was their father's sister, against her mother, who was lord Rothes' sister, drew him into that compliance which brought a great cloud upon him: though he was in all other respects the ablest and worthiest man of the nobility: only he was too cautious and fearful‡.

A son of the marquis of Douglas, made earl of Selkirk, had married the heiress of the family of Hamilton, who by her father's patent was duchess of Hamilton: and when the heiress of a title in Scotland marries one not equal to her in rank, it is ordinary at her desire to give her husband the title for life: so he was made duke of Hamilton. He then passed for a soft man, who minded nothing but the recovery of that family from the great debts under which it was sinking, till it was raised up again by his great management. After he had compassed that, he became a more considerable man. He wanted all sort of polishing: he was rough and sullen, but candid and sincere. His temper was boisterous, neither fit to submit, nor to govern. He was mutinous when out of power, and imperious in it. He wrote well, but spoke ill; for his judgment, when calm, was better than his imagination. He made himself a great master in the knowledge of the laws, of the history, and of the families of Scotland; and seemed always to have a regard to justice, and the good of his country: but a narrow and selfish temper brought such an habitual meanness on him, that he was not capable of designing or undertaking great things§.

Another man of that side, who made a good figure at that time, was Bruce, afterwards earl

him from doing anything that might gratify any of his passions.—*Hist. of Rebellion*, iii. 97, fo. That the characters given him by Burnet and Clarendon were merited will be seen by his conduct in transactions which will be noticed hereafter. He died in 1682, aged sixty-eight.

\* The continuer of Clarendon's *Autobiography* says, that the retention of the earl of Crawford and Lindsey in office was owing to the influence of the earl of Lauderdale. He is there described as a man inclined to restrain the prerogative of the crown, and a most zealous presbyterian, qualifications which prevented the other commissioners of Scotland discussing in his presence many most important measures. To use language undisguised, he was opposed to persecution, and to forcing episcopacy upon his countrymen. With characteristic faithfulness, Charles the Second told the earl of Middleton, that he would seek occasion to turn Crawford out to make way for him.—*Continuation of Clarendon's Life*, ii. 52.

† John Leslie, duke of Rothes, was only eleven years old when he became possessed of his hereditary estates and honours. His mother having died the previous year, he was left an orphan, and being betrothed to the eldest daughter of the earl of Crawford, he was taken into this nobleman's family. Here his education was almost entirely neglected; perhaps a neglect, to which may be traced the bigotry, obstinacy, and cruelty of his after life, for these are all the legitimate offspring of ignorance. In

1650, being within a year of his majority, he removed to Lealis, his ancestral residence, and lived with suitable magnificence. He sided with Charles the Second, and at the head of a regiment of horse raised from among his own dependants, he was captured at the battle of Worcester, by Cromwell's army. He remained four years in custody, and then obtained only a temporary liberty, through the influence of the beautiful and intriguing Elizabeth Murray, countess of Dysart, almost the only woman to whom Cromwell is said to have shewn amorous attentions. In 1658, he was again incarcerated, but his detention continued only eleven months. Just previous to the restoration, he joined Charles the Second at Breda. The chief of his subsequent public acts will be noticed in other parts of this volume. He died in 1681. His funeral was a pageant so splendid, that it is recorded in an engraving.—*Grainger's Biographical History*, iv. 209.

‡ Lord William Douglas was created earl of Selkirk in 1646. He was raised to the dukedom of Hamilton upon the petition of his wife in 1660. He was by education a papist, his ancestors professing the same religion. He was a very handsome man, and having gained the affections of the youthful duchess, to obtain her and the wide domains she had inherited from her father, and from her uncle who fell in Worcester fight, he consented to embrace the protestant creed. He died in 1694. He was chief commissioner for Scotland.—*Continuation of Clarendon's Life*, ii. 50.

of Kincardine, who had married a daughter of Mr. Somelsdych in Holland : and by that means he had got acquaintance with our princes beyond sea, and had supplied them liberally in their necessities. He was both the wisest and the worthiest man that belonged to his country, and fit for governing any affairs but his own ; which he, by a wrong turn, and by his love for the public, neglected to his ruin ; for they consisting much in works, coals, salt, and mines, required much care ; and he was very capable of it, having gone far in mathematics, and being a great master of mechanics. His thoughts went slow, and his words came much slower : but a deep judgment appeared in every thing he said or did. He had a noble zeal for justice, in which even friendship could never bias him. He had solid principles of religion and virtue, which shewed themselves with great lustre on all occasions. He was a faithful friend, and a merciful enemy. I may be perhaps inclined to carry his character too far ; for he was the first man that entered into friendship with me. We continued for seventeen years in so entire a friendship, that there was never either reserve or mistake between us all the while till his death. And it was from him that I understood the whole secret of affairs ; for he was trusted with every thing. He had a wonderful love to the king ; and would never believe me, when I warned him what he might look for, if he did not go along with an abject compliance in every thing. He found it true in conclusion. And the love he bore the king made his disgrace sink deeper in him, than became such a philosopher, or so good a christian as he was.

I now turn to another set of men, of whom the earls of Middleton and Glencairn were the chief. They were followed by the herd of the cavalier party, who were now very fierce and full of courage over their cups, though they had been very discreet managers of it in the field, and in time of action. But now every one of them boasted that he had killed his thousands. And all were full of merit, and as full of high pretensions ; far beyond what all the wealth and revenues of Scotland could answer. The subtlest of all lord Middleton's friends, was sir Archibald Primrose. a man of long and great practice in affairs ; for he and his father had served the crown successively an hundred years all but one, when he was turned out of employment. He was a dexterous man in business : he had always expedients ready at every difficulty. He had an art of speaking to all men, according to their sense of things : and so drew out their secrets while he concealed his own : for words went for nothing with him. He said every thing that was necessary to persuade those he spoke to, that he was of their mind ; and did it in so genuine a way that he seemed to speak his heart. He was always for soft counsels, and slow methods : and thought that the chief thing that a great man ought to do was, to raise his family and his kindred, who naturally stick to him ; for he had seen so much of the world, that he did not depend much on friends, and so took no care in making any. He always advised the earl of Middleton to go slowly in the king's business ; but to do his own effectually, before the king should see he had no farther occasion for him. That earl had another friend, who had more credit with him, though Primrose was more necessary for managing a parliament : he was sir John Fletcher, made the king's advocate, or attorney general : for Nicholson was dead. Fletcher was a man of a generous temper, who despised wealth, except as it was necessary to support a vast expense. He was a bold and fierce man, who hated all mild proceedings, and could scarce speak with decency or patience to those of the other side. So that he was looked on by all that had been faulty in the late times, as an inquisitor general. On the other hand Primrose took money liberally, and was the intercessor for all who made such effectual applications to him.

The first thing that was to be thought on, with relation to Scotch affairs, was the manner in which offenders in the late times were to be treated : for all were at mercy. In the letter the king wrote from Breda to the parliament of England he had promised a full indemnity for all that was past, excepting only those who had been concerned in his father's death : to which the earl of Clarendon persuaded the king to adhere in a most sacred manner ; since the breaking of faith in such a point was that which must for ever destroy confidence, and the observing all such promises seemed to be a fundamental maxim in government, which was to be maintained in such a manner, that not so much as a stretch was to be made in it. But there was no promise made for Scotland : so all the cavaliers, as they were full of revenge,

hoped to have the estates of those who had been concerned in the late wars divided among them. The earl of Lauderdale told the king, on the other hand, that the Scotch nation had turned eminently, though unfortunately, to serve his father in the year forty-eight; that they had brought himself among them, and had lost two armies in his service, and had been under nine years' oppression on that account; that they had encouraged and assisted Monk in all he did: they might be therefore highly disgusted, if they should not have the same measure of grace and pardon that he was to give England. Besides, the king, while he was in Scotland, had in the parliament of Stirling passed a very full act of indemnity, though in the terms and with the title of an act of approbation. It is true, the records of that parliament were not extant, but had been lost in the confusion that followed upon the reduction of that kingdom: yet the thing was so fresh in every man's memory, that it might have a very ill effect, if the king should proceed without a regard to it. There was indeed another very severe act made in that parliament against all that should treat or submit to Cromwell, or comply in any sort with him: but, he said, a difference ought to be made between those who during the struggle had deserted the service and gone over to the enemy, of which number it might be fit to make some examples, and the rest of the kingdom who upon the general reduction had been forced to capitulate: it would be hard to punish any for submitting to a superior force, when they were in no condition to resist it. This seemed reasonable: and the earl of Clarendon acquiesced in it. But the earl of Middleton and his party complained of it, and desired that the marquis of Argyle, whom they charged with an accession to the king's murder, and some few of those who had joined in the remonstrance while the king was in Scotland, might be proceeded against. The marquis of Argyle's craft made them afraid of him: and his estate made them desire to divide it among them. His son, the lord Lorn, was come up to court, and was well received by the king: for he had adhered so firmly to the king's interest, that he would never enter into any engagements with the usurpers: and upon every new occasion of jealousy he had been clapt up. In one of his imprisonments he had a terrible accident from a cannon bullet, which the soldiers were throwing to exercise their strength, and by a recoil struck him in the head, and made such a fracture in his skull, that the operation of the trepan, and the cure, was counted one of the greatest performances of surgery at that time. The difference between his father and him went on to a total breach; so that his father was set upon the disinheriting him of all that was still left in his power. Upon the Restoration the marquis of Argyle went up to the Highlands for some time, till he advised with his friends what to do, who were divided in opinion. He wrote by his son to the king, asking leave to come and wait on him. The king gave an answer that seemed to encourage it, but did not bind him to any thing. I have forgotten the words: there was an equivocating in them that did not become a prince: but his son told me, he wrote them very particularly to his father, without any advice of his own. Upon that the marquis of Argyle came up so secretly, that he was within Whitehall before his enemies knew any thing of his journey. He sent his son to the king to beg admittance. But instead of that he was sent to the Tower. And orders were sent down for clapping up three of the chief remonstrators. Of these Warristoun was one: but he had notice sent him before the messenger came: so he made his escape, and went beyond sea, first to Hamburgh. He had been long courted by Cromwell, and had stood at a distance from him for seven years: but in the last year of his government he had gone into his counsels, and was summoned as one of his peers to the other house, as it was called. He was after that put into the council of state after Richard was put out: and then he sat in another court put up by Lambert and the army, called the committee of safety. So there was a great deal against him. Swinton, one of Cromwell's lords, was also sent a prisoner to Scotland. And thus it was resolved to make a few examples in the parliament that was to be called, as soon as the king could be got to prepare matters for it. It was resolved on, to restore the king's authority to the same state it was in before the wars, and to raise such a force as might be necessary to secure the quiet of that kingdom for the future.

It was a harder point, what to do with the citadels that were built by Cromwell, and with the English garrisons that were kept in them. Many said, it was necessary to keep that kingdom in that subdued state; at least till all things were settled, and that there was no more danger from thence. The earl of Clarendon was of this mind. But the earl of Lauder-



dale laid before the king, that the conquest Cromwell had made of Scotland was for their adhering to him: he might then judge what they would think, who had suffered so much and so long on his account, if the same thralldom should be now kept up by his means: it would create an universal disgust. He told the king, that the time might come, in which he would wish rather to have Scotch garrisons in England: it would become a national quarrel, and lose the affections of the country to such a degree, that perhaps they would join with the garrisons, if any disjoining happened in England, against him: whereas, without any such badge of slavery, Scotland might be so managed, that they might be made entirely his. The earl of Middleton and his party durst not appear for so unpopular a thing. So it was agreed on, that the citadels should be evacuated, and slighted, as soon as the money could be raised in England for paying and disbanding the army. Of all this the earl of Lauderdale was believed the chief adviser. So he became very popular in Scotland.

The next thing that fell under consideration was the church, and whether bishops were to be restored or not. The earl of Lauderdale at his first coming to the king stuck firm to presbytery. He told me, the king spoke to him to let that go, for it was not a religion for gentlemen. He being really a presbyterian, but at the same time resolving to get into the king's confidence, studied to convince the king by a very subtil method to keep up presbytery still in Scotland. He told him, that both king James and his father had ruined their affairs by engaging in the design of setting up episcopacy in that kingdom: and by that means Scotland became discontented, and was of no use to them: whereas the king ought to govern them according to the grain of their own inclinations, and to make them sure to him: he ought, instead of endeavouring an uniformity in both kingdoms, to keep up the opposition between them, and rather to increase than to allay that hatred that was between them: and then the Scots would be ready, and might be easily brought, to serve him upon any occasion of dispute he might afterwards have with the parliament of England: all things were then smooth: but that was the honey moon, and it could not last long. Nothing would keep England more in awe, than if they saw Scotland firm in their duty and affection to him; whereas nothing gave them so much heart, as when they knew Scotland was disjointed: it was a vain attempt to think of doing any thing in England by means of the Irish, who were a despicable people, and had a sea to pass. But Scotland could be brought to engage for the king in a more silent manner, and could serve him more effectually: he therefore laid it down for a maxim, from which the king ought never to depart, that Scotland was to be kept quiet and in good humour, that the opposition of the two kingdoms was to be kept up and heightened: and then the king might reckon on every man capable of bearing arms in Scotland, as a listed soldier, who would willingly change a bad country for a better. This was the plan he laid before the king. I cannot tell whether this was to cover his zeal for presbytery, or on design to encourage the king to set up arbitrary government in England.

To fortify these advices he wrote a long letter in white ink to a daughter of the earl of Cassilis, lady Margaret Kennedy, who was in great credit with the party, and was looked on as a very wise and good woman, and was out of measure zealous for them. I married her afterwards, and after her death found this letter among her papers: in which he expressed great zeal for the cause: he saw the king was indifferent in the matter; but he was easy to those who pressed for a change: which, he said, nothing could so effectually hinder, as the sending up many men of good sense, but without any noise, who might inform the king of the aversion the nation had to that government, and assure him that, if in that point he would be easy to them, he might depend upon them as to every thing else; and particularly, if he stood in need of their service in his other dominions: but he charged her to trust very few of the ministers with this, and to take care that Sharp might know nothing of it: for he was then jealous of him. This had all the effect that the earl of Lauderdale intended by it. The king was no more jealous of his favouring presbytery; but looked on him as a fit instrument to manage Scotland, and to serve him in the most desperate designs: and on all this all his credit with the king was founded. In the mean time Sharp, seeing the king cold in the matter of episcopacy, thought it was necessary to lay the presbyterians asleep, to make them apprehend no danger to their government, and to engage the public resolutioners to proceed against all the protesters; that so those who were like to be the most inflexible in the point of episcopacy

might be censured by their own party, and by that means the others might become so odious to the more violent presbyterians, that thereby they might be the more easily disposed to submit to episcopacy, or at least might have less credit to act against it. So he, being pressed by those who employed him to procure somewhat from the king that might look like a confirmation of their government, and put to silence all discourses of an intended change, obtained by the earl of Lauderdale's means, that a letter should be written by the king to the presbytery of Edinburgh, to be communicated by them to all the other presbyteries in Scotland, in which he confirmed the general assemblies that sat at St. Andrew's and Dundee while he was in Scotland, and that had confirmed the public resolutions; in which he ordered them to proceed to censure all those who had then protested against them, and would not now submit to them. The king did also confirm their presbyterian government, as it was by law established. This was signed, and sent down without communicating it to the earl of Middleton or his party. But as soon as he heard of it, he thought Sharp had betrayed the design; and sent for him, and charged him with it. Sharp said, in his own excuse, that somewhat must be done for quieting the presbyterians, who were beginning to take the alarm: that might have produced such applications, as would perhaps make some impression on the king: whereas now all was secured, and yet the king was engaged to nothing: for his confirming their government, as it was established by law, could bind him no longer than while that legal establishment was in force: so the reversing of that would release the king. This allayed the earl of Middleton's displeasure a little. Yet Primrose told me, he spoke often of it with great indignation, since it seemed below the dignity of a king thus to equivocate with his people, and to deceive them. It seemed, that Sharp thought it not enough to cheat the party himself, but would have the king share with him in the fraud. This was no honourable step to be made by a king, and to be contrived by a clergyman. The letter was received with transports of joy: the presbyterians reckoned they were safe, and began to proceed severely against the protestors; to which they were set on by some aspiring men, who hoped to merit by the heat expressed on this occasion. And if Sharp's impatience to get into the archbishopric of St. Andrews had not wrought too strong on him, it would have given a great advantage to the restitution of episcopacy, if a general assembly had been called, and the two parties had been let loose on one another: that would have shewn the impossibility of maintaining the government of the church in a parity, and the necessity of setting a superior order over them for keeping them in unity and peace\*.

The king settled the ministry in Scotland. The earl of Middleton was declared the king's commissioner for holding the parliament, and general of the forces that were to be raised; the earl of Glencairn was made chancellor; the earl of Lauderdale was secretary of state; the earl of Rothes president of the council; the earl of Crawford was continued in the treasury; Primrose was clerk register, which is very like the place of master of the rolls in England. The rest depended on these: but the earls of Middleton and Lauderdale were the two heads of the parties. The earl of Midletoun had a private instruction, which, as Lauderdale told me, was not communicated to him, to try the inclinations of the nation for episcopacy, and to consider of the best method of setting it up. This was drawn from the king by the earl of Clarendon: for he himself was observed to be very cold in it, while these things were doing. Primrose got an order from the king to put up all the public registers of Scotland, which Cromwell had brought up, and lodged in the Tower of London, as a pawn upon that kingdom, in imitation of what king Edward the first was said to have done when he subdued that nation. They were now put up in fifty hogsheads, and a ship was ready to carry them down. But it was suggested to lord Clarendon, that the original covenant, signed by the king, and some other declarations under his hand, were among them. And

\* The arguments employed by Lauderdale and Middleton relative to the spirit that ought to actuate the government of Scotland, are well narrated in the Continuation of Clarendon's Life. Middleton, Glencairn, Rothes, and all the other commissioners, except Lauderdale, were for the immediate establishment of episcopacy. Lauderdale had to prevent, by urging delay, rather than by open opposition; and although he made great impression upon the king, yet finally all was left to the discretion of the earl of Middleton.—Continuation, ii. 54. 57. Those

who wish for other information relative to the affairs of Scotland at this period, may refer with advantage to Woodrow's History of the Church of Scotland; Guthrie's Memoirs; and Bishop Burnet's Memoirs of the Duke of Hamilton, and Clarendon's History of the Rebellion. The reader must be on his guard in reading this last-named work; the writer being extremely prejudiced against those who did not entirely approve of the sentiments and conduct of the Royalists.

he, apprehending that at some time or other an ill use might have been made of these, would not suffer them to be shipped till they were visited; nor would he take Primrose's promise of searching for these carefully, and sending them up to him; so he ordered a search to be made. None of the papers he looked for were found; but so much time was lost, that the summer was spent, so they were sent down in winter; and by some easterly gusts the ship was cast away near Berwick. So we lost all our records; and we have nothing now but some fragments in private hands to rely on, having made at that time so great a shipwreck of all our authentic writings. This heightened the displeasure the nation had at the designs then on foot.

The main thing, upon which all other matters depended, was the method in which the affairs of Scotland were to be conducted. The earl of Clarendon moved, that there might be a council settled to sit regularly at Whitehall on Scotch affairs, to which every one of the Scotch privy council that happened to be on the place should be admitted; but with this addition, that, as two Scotch lords were called to the English council, so six of the English were to be of the Scotch council. The effect of this would have been, that whereas the Scotch counsellors had no great force in English affairs, the English, as they were men of great credit with the king, and were always on the place, would have the government of the affairs of Scotland wholly in their hands. This probably would have saved that nation from much injustice and violence, when there was a certain method of laying their grievances before the king; complaints would have been heard, and matters well examined: Englishmen would not, and durst not, have given way to crying oppression, and illegal proceedings; for though these matters did not fall under the cognisance of an English parliament, yet it would have very much blasted a man's credit, who should have concurred in such methods of government as were put in practice afterwards in that kingdom: therefore all people quickly saw how wise a project this was, and how happy it would have proved, if affairs had still gone in that channel. But the earl of Lauderdale opposed this with all his strength. He told the king, it would quite destroy the scheme he had laid before him, which must be managed secretly, and by men that were not in fear of the parliament of England, nor obnoxious to it. He said to all Scotchmen, this would make Scotland a province to England, and subject it to English counsellors, who knew neither the laws nor the interests of Scotland, and yet would determine every thing relating to it; and all the wealth of Scotland would be employed to bribe them, who, having no concern of their own in the affairs of that kingdom, must be supposed capable of being swayed by private considerations. To the presbyterians he said, this would infallibly bring in, not only episcopacy, but every thing else from the English pattern. Men who had neither kindred nor estates in Scotland would be biassed chiefly by that which was most in vogue in England, without any regard to the inclinations of the Scots. These things made great impressions on the Scotch nation. The king himself did not much like it; but the earl of Clarendon told him, Scotland, by a secret and ill management, had begun the embroilment in his father's affairs, which could never have happened, if the affairs of that kingdom had been under a more equal inspection; if Scotland should again fall into new disorders, he must have the help of England to quiet them; and that could not be expected, if the English had no share in the conduct of matters there. The king yielded to it; and this method was followed for two or three years, but was afterwards broken by the earl of Lauderdale, when he got into the chief management. He began early to observe some uneasiness in the king at the earl of Clarendon's positive way. He saw the mistress hated him, and he believed she would in time be too hard for him; therefore he made great applications to her. But his conversation was too coarse, and he had not money enough to support himself by presents to her; so he could not be admitted into that cabal which was held in her lodgings. He saw, that in a council, where men of weight, who had much at stake in England, bore the chief sway, he durst not have proposed those things, by which he intended to establish his own interest with the king, and to govern that kingdom which way his pride, or passion, might guide him. Among others, he took great pains to persuade me of the great service he had done his country by breaking that method of governing it; though we had many occasions afterwards to see how fatal that proved, and how wicked his design in it was.

I have thus opened with some copiousness the beginnings of this reign, since, as they are



little known, and I had them from the chief of both sides, so they may guide the reader to observe the progress of things better in the sequel than he could otherwise do. In August, the earl of Glencairn was sent down to Scotland, and had orders to call together the committee of estates. This was a practice begun in the late times: when the parliament made a recess, they appointed some of every state to sit, and to act as a council of state in their name till the next session, for which they were to prepare matters, and to which they gave an account of their proceedings. When the parliament of Stirling was adjourned, the king being present, a committee had been named; so, such of these as were yet alive were summoned to meet, and to see to the quiet of the nation, till the parliament should be brought together, which did not meet before January. On the day in which the committee met, ten or twelve of the protesting ministers met likewise at Edinburgh, and had before them a warm paper prepared by one Guthrey, one of the most violent ministers of the whole party. In it, after some cold compliment to the king upon his restoration, they put him in mind of the covenant which he had so solemnly sworn while among them: they lamented that, instead of pursuing the ends of it in England, as he had sworn to do, he had set up the common prayer in his chapel, and the order of bishops: upon which they made terrible denunciations of heavy judgments from God on him, if he did not stand to the covenant, which they called the oath of God. The earl of Glencairn had notice of this meeting, and he sent and seized on them, together with this remonstrance. The paper was voted scandalous and seditious; and the ministers were all clapt up in prison, and were threatened with great severities. Guthrey was kept still in prison, who had brought the others together; but the rest, after a while's imprisonment, were let go. Guthrey, being minister of Stirling while the king was there, had let fly at him in his sermons in a most indecent manner, which at last became so intolerable, that he was cited to appear before the king to answer for some passages in his sermons: he would not appear, but declined the king and his council, who, he said, were not proper judges of matters of doctrine, for which he was only accountable to the judicatories of the kirk. He also protested for remedy of law against the king, for thus disturbing him in the exercise of his ministry. This personal affront had irritated the king more against him than against any other of the party; and it was resolved to strike a terror into them all, by making an example of him. He was a man of courage, and went through all his trouble with great firmness: but this way of proceeding struck the whole party with such a consternation, that it had all the effect which was designed by it: for whereas the pulpits had, to the great scandal of religion, been places where the preachers had for many years vented their spleen and arraigned all proceedings, they became now more decent, and there was a general silence every where with relation to the affairs of state; only they could not hold from many sly and secret insinuations, as if the ark of God was shaking, and the glory departing. A great many offenders were summoned, at the king's suit, before the committee of estates, and required to give bail, that they should appear at the opening of the parliament, and answer to what should be then objected to them. Many saw the design of this was to fright them into a composition, and also into a concurrence with the measures that were to be taken. For the greater part they complied, and redeemed themselves from farther vexation by such presents as they were able to make. And in these transactions Primrose and Fletcher were the great dealers.

In the end of the year the earl of Middleton came down with great magnificence: his way of living was the most splendid the nation had ever seen, but it was likewise the most scandalous; for vices of all sorts were the open practices of those about him. Drinking was the most notorious of all, which was often continued through the whole night to the next morning. and many disorders happening after those irregular heats, the people, who had never before that time seen any thing like it, came to look with an ill eye on every thing that was done by such a set of lewd and vicious men. This laid in all men's minds a new prejudice against episcopacy; for they, who could not examine into the nature of things, were apt to take an ill opinion of every change in religion that was brought about by such bad instruments. There had been a face of gravity and piety in the former administration, which made the libertinage of the present time more odious.

The earl of Middleton opened the parliament on the first of January with a speech setting

forth the blessing of the Restoration: he magnified the king's person, and enlarged on the affection that he bore to that his ancient kingdom: he hoped they would make suitable returns of zeal for the king's service, that they would condemn all the invasions that had been made on the regal authority, and assert the just prerogative of the crown, and give supplies for keeping up such a force as was necessary to secure the public peace, and to preserve them from the return of such calamities as they had so long felt. The parliament wrote an answer to the king's letter full of duty and thanks. The first thing proposed was to name lords of the articles. In order to the apprehending the importance of this, I will give some account of the constitution of that kingdom.

The parliament was anciently the king's court, where all who held land of him were bound to appear. All sat in one house, but were considered as three estates. The first was the church, represented by the bishops, and mitred abbots, and priors; the second was the baronage, the nobility and gentry who held their baronies of the king; and the third was the boroughs, who held of the king by barony, though in a community. So that the parliament was truly the baronage of the kingdom. The lesser barons grew weary of this attendance; so in king James the First's time (during the reign of Henry the Fourth, of England) they were excused from it, and were empowered to send proxies, to an indefinite number, to represent them in parliament; yet they neglected to do this: and it continued so till king James the Sixth's time, in which the mitred abbots being taken away, and few of the titular bishops that were then continued appearing at them, the church lands being generally in lay hands, the nobility carried matters in parliament as they pleased; and as they oppressed the boroughs, so they had the king much under them. Upon this the lower barons got themselves to be restored to the right which they had neglected near two hundred years. They were allowed by act of parliament to send two from a county; only some smaller counties sent but one. This brought that constitution to a truer balance. The lower barons have a right to choose at their county courts after Michaelmas their commissioners, to serve in any parliament that may be called within that year; and they who choose them sign a commission to him who represents them; so the sheriff has no share of the return. And in the case of controverted elections, the parliament examines the commissions, to see who has the greatest number, and judges whether every one that signs it had a right to do so. The boroughs only choose their members when the summons goes out; and all are chosen by the men of the corporation, or, as they call them, the town council. All these estates sit in one house, and vote together. Anciently the parliament sat only two days, the first and the last. On the first they chose those who were to sit on the articles, eight for every state, to whom the king joined eight officers of state. These received all the heads of grievances or articles that were brought to them, and formed them into bills as they pleased: and on the last day of the parliament, these were all read, and were approved or rejected by the whole body. So they were a committee that had a very extraordinary authority, since nothing could be brought before the parliament but as they pleased. This was pretended to be done only for the shortening and dispatching of sessions. The crown was not contented with this limitation, but got it to be carried farther. The nobility came to choose eight bishops, and the bishops to choose eight noblemen; and these sixteen chose the eight barons, so the representatives for the shires are called, and the eight burgesses. By this means our kings did upon the matter choose all the lords of the articles, so entirely had they got the liberties of that parliament into their hands.

During the late troubles they had still kept up a distinction of three estates, the lesser barons making one, and then every estate might meet apart, and name their own committee; but still all things were brought in, and debated in full parliament. So now the first thing proposed was, the returning to the old custom of naming lords of the articles. The earl of Tweeddale opposed it, but was seconded only by one person; so it passed with that small opposition: only, to make it go easier, it was promised, that there should be frequent sessions of parliament, and that the acts should not be brought in in a hurry, and carried with the haste that had been practised in former times.

The parliament granted the king an additional revenue for life of 40,000*l.* a-year, to be raised by an excise on beer and ale, for maintaining a small force; upon which two troops

and a regiment of foot guards were to be raised. They ordered the marquis of Montrose's quarters to be brought together, and they were buried with great state. They fell next upon the acts of the former times that had limited the prerogative; they repealed them, and asserted it with a full extent in a most extraordinary manner. Primrose had the drawing of these acts. He often confessed to me, that he thought he was as one bewitched while he drew them; for, not considering the ill use might be made of them afterwards, he drew them with preambles full of extravagant rhetoric, reflecting severely on the proceedings of the late times, and swelled them up with the highest phrases and fullest clauses that he could invent. In the act which asserted the king's power of the militia, the power of arming and levying the subjects was carried so far, that it would have ruined the kingdom, if Gilmore, an eminent lawyer, and a man of great integrity, who had now the more credit, for he had always favoured the king's side, had not observed that, as the act was worded, the king might require all the subjects to serve at their own charge, and might oblige them, in order to the redeeming themselves from serving, to pay whatever might be set on them. So he made such an opposition to this, that it could not pass till a proviso was added to it, that the kingdom should not be obliged to maintain any force levied by the king, otherwise than as it should be agreed to in parliament, or in a convention of estates. This was the only thing that was then looked to, for all the other acts passed in the articles as Primrose had penned them. They were brought into parliament, and upon one hasty reading them, they were put to the vote, and were always carried.

One act troubled the presbyterians extremely. In the act asserting the king's power in treaties of peace and war, all leagues with any other nation, not made by the king's authority, were declared treasonable; and in consequence of this, the league and covenant made with England in the year 1643, was condemned, and declared of no force for the future. This was the idol of all the presbyterians; so they were much alarmed at it: but Sharp restrained all those with whom he had credit. He told them, the only way to preserve their government was, to let all that related to the king's authority be separated from it, and be condemned, that so they might be no more accused as enemies to monarchy, or as leavened with the principles of rebellion. He told them, they must be contented to let that pass, that the jealousy which the king had of them, as enemies to his prerogative, might be extinguished in the most effectual manner. This restrained many; but some hotter zealots could not be governed. One Macquair, a hot man and considerably learned, did in his church at Glasgow openly protest against this act, as contrary to the oath of God, and so void of itself. To protest against an act of parliament was treason by their law; and Middleton was resolved to make an example of him for the terrifying others. But Macquair was as stiff as he was severe, and would come to no submission; yet he was only condemned to perpetual banishment. Upon which he, and some others who were afterwards banished, went and settled at Rotterdam, where they formed themselves into a presbytery, and wrote many seditious books, and kept a correspondence over all Scotland, that being the chief seat of the Scotch trade; and by that means they did much more mischief to the government than they could have done had they continued still in Scotland.

The lords of the articles grew weary of preparing so many acts as the practices of the former times gave occasion for; but did not know how to meddle with those acts that the late king had passed in the year 41, or the present king had passed while he was in Scotland. They saw that, if they should proceed to repeal those by which presbyterian government was ratified, that would raise much opposition, and bring petitions from all that were for that government over the whole kingdom, which Middleton and Sharp endeavoured to prevent, that the king might be confirmed in what they had affirmed, that the general bent of the nation was now turned against presbytery and for bishops. So Primrose proposed, but half in jest, as he assured me, that the better and shorter way would be to pass a general act rescissory, as it was called, annulling all the parliaments that had been held since the year 1633, during the whole time of the war, as faulty and defective in their constitution. But it was not so easy to know upon what point that defect was to be fixed. The only colourable pretence in law was, that, since the ecclesiastical state was not represented in those parliaments, they were not a full representative of the kingdom, and so not true parliaments. But



this could not be alleged by this present parliament, which had no bishops in it: if that inferred a nullity, this was no parliament; therefore they could only fix the nullity upon the pretence of force and violence. Yet it was a great strain to insist on that, since it was visible that neither the late king nor the present were under any force when they passed them: they came of their own accord, and passed those acts. If it was insisted on that the ill state of their affairs was in the nature of a force, the ill consequences of this were visible, since no prince by this means could be bound to any treaty, or be concluded by any law that limited his power, these being always drawn from them by the necessity of their affairs, which can never be called a force, as long as their persons are free. So, upon some debate about it on those grounds, at a private junta, the proposition, though well liked, was let fall, as not capable to have good colours put upon it: nor had the earl of Middleton any instruction to warrant his passing any such act. Yet within a day or two, when they had drunk higher, they resolved to venture on it. Primrose was then ill. So one was sent to him to desire him to prepare a bill to that effect. He set about it, but perceived it was so ill grounded, and so wild in all the frame of it, that he thought, when it came to be better considered, it must certainly be laid aside. But it fell out otherwise: his draught was copied out next morning, without altering a word in it, and carried to the articles, and from thence to the parliament, where it met indeed with great opposition. The earl of Crawford and the duke of Hamilton argued much against it. The parliament in the year 41 was legally summoned: the late king came thither in person with his ordinary attendance, and without the appearance of any force; if any acts then passed needed to be reviewed, that might be well done; but to annul a parliament was a terrible precedent, which destroyed the whole security of government: another parliament might annul the present parliament, as well as that which was now proposed to be done. So no stop could be made, nor any security laid down for fixing things for the future. The parliament in the year 48 proceeded upon instructions under the king's own hand, which was all that could be had considering his imprisonment: they had declared for the king, and raised an army for his preservation. To this the earl of Middleton, who contrary to custom managed the debate himself, answered, that though there was no visible force on the late king in the year 41, yet they all knew he was under a real force by reason of the rebellion that had been in this kingdom, and the apparent danger of one ready to break out in England, which forced him to settle Scotland on such terms as he could bring them to; so that distress in his affairs was really equivalent to a force on his person: yet he confessed it was just, that such an appearance of a parliament should be a full authority to all who acted under it: and care was taken to secure these by a proviso that was put in the act to indemnify them. He acknowledged the design of the parliament in the year 48 was good: yet they declared for the king in such terms, and had acted so hypocritically, in order to the gaining of the kirk party, that it was just to condemn the proceedings, though the intentions of many were honourable and loyal. For we went into it, he said, as knaves, and therefore no wonder if we miscarried in it as fools. This was very ill taken by all who had been concerned in it. The bill was put to the vote, and carried by a great majority; and the earl of Middleton immediately passed it without staying for an instruction from the king. The excuse he made for it was, that, since the king by his letter to the presbyterians confirmed their government as it was established by law, there was no way left to get out of that, but the annulling of all those laws.

This was a most extravagant act, and only fit to be concluded after a drunken bout. It shook all possible security for the future, and laid down a most pernicious precedent. The earl of Lauderdale aggravated this heavily to the king. It shewed, that the earl of Middleton understood not the first principles of government, since he had, without any warrant for it, given the king's assent to a law that must for ever take away all the security that law can give: no government was so well established, as not to be liable to a revolution; this would cut off all hopes of peace and submission, if any disorder should happen at any time thereafter. And since the earl of Clarendon had set it up for a maxim never to be violated, that acts of indemnity were sacred things, he studied to possess him against the earl of Middleton, who had now annulled the very parliaments, in which two kings had passed acts of indemnity. This raised a great clamour. And upon that the earl of Middleton com-

claimed in parliament, that their best services were represented to the king as blemishes on his honour, and as a prejudice to his affairs: so he desired they would send up some of the most eminent of their body to give the king a true account of their proceedings. The earls of Glencairn and Rothes were sent, for the earl of Rothes gave secret engagements to both sides, resolving to strike into that to which he saw the king most inclined. The earl of Middleton's design was to accuse the earl of Lauderdale of misrepresenting the proceedings of parliament, and of belying the king's good subjects, called in the Scotch law leasing making, which either to the king or to the people of the king is capital.

Sharp went up with these lords to press the speedy setting up of episcopacy, now that the greatest enemies of that government were under a general consternation, and were upon other accounts so obnoxious that they durst not make any opposition to it, since no act of indemnity was yet passed. He had expressed a great concern to his old brethren when the act rescissory passed, and acted that part very solemnly for some days; yet he seemed to take heart again, and persuaded the ministers of that party, that it would be a service to them, since now the case of ratifying their government was separated from the rebellion of the late times: so that hereafter it was to subsist by a law passed in a parliament that sat and acted in full freedom. So he undertook to go again to court, and to move for an instruction to settle presbytery on a new and undisputed bottom. The poor men were so struck with the ill state of their affairs, that they either trusted him, or at least seemed to do it; for indeed they had neither sense nor courage left them. During the session of parliament, the most aspiring men of the clergy were picked out to preach before the parliament. They did not speak out, but they all insinuated the necessity of a greater authority than was then in the church, for keeping them in order. One or two spoke plainer; upon which the presbytery of Edinburgh went to the earl of Middleton, and complained of that, as an affront to the law and to the king's letter. He dismissed them with good words, but took no notice of their complaint. The synods in several places resolved to prepare addresses both to king and parliament, for an act establishing their government: and Sharp dissembled so artificially, that he met with those who were preparing an address to be presented to the synod of Fife, that was to sit within a week after; and heads were agreed on. Honeyman, afterwards bishop of Orkney, drew it up with so much vehemence, that Wood, their divinity professor, told me, he and some others sat up almost the whole night before the synod met, to draw it over again in a smoother strain; but Sharp gave the earl of Middleton notice of this; so the earl of Rothes was sent over to see to their behaviour. As soon as the ministers entered upon that subject, he in the king's name dissolved the synod, and commanded the ministers under pain of treason to retire to their several habitations. Such care was taken that no public application should be made in favour of presbytery. Any attempt that was made on the other hand met with great encouragement. The synod of Aberdeen was the only body that made an address looking towards episcopacy. In a long preamble they reflected on the confusions and violence of the late times, of which they enumerated many particulars: and they concluded with a prayer, that since the legal authority upon which their courts proceeded was now annulled, that therefore the king and parliament would settle their government, conform to the scriptures and the rules of the primitive church. The presbyterians saw what was driven at, and how their words would be understood: but I heard one of them say (for I was present at that meeting), that no man could decently oppose those words, since by that he would insinuate that he thought presbytery was not conform to these.

In this session of parliament another act passed, which was a new affliction to all the party: the twenty-ninth of May was appointed to be kept as a holy day, since on that day an end had been put to three and twenty years' course of rebellion, of which the whole progress was reckoned up in the highest strain of Primrose's eloquence. The ministers saw, that by observing this act passed with such a preamble, they condemned all their former proceedings, as rebellious and hypocritical. They saw, that by obeying it they would lose all their credit, and contradict all they had been building up in a course of so many years: yet such was the heat of that time, that they durst not except to it on that account. So they laid hold on the subtilty of a holy day, and covered themselves under that controversy, denying it was in the power of any human authority to make a day holy. But withal they fell upon a poor

shift: they enacted in their several presbyteries that they should observe that day as a thanksgiving for the king's restoration: so they took no notice of the act of parliament, but observed it in obedience to their own act. But this, though it covered them from prosecution, since the law was obeyed, yet it laid them open to much contempt. When the earls of Glencairn and Rothes came to court, the king was soon satisfied with the account they gave of the proceedings of parliament: and the earl of Lauderdale would not own that he had ever misrepresented them. They were ordered to proceed in their charging of him, as the earl of Clarendon should direct them. But he told them the assaulting of a minister, as long as he had an interest in the king, was a practice that never could be approved: it was one of the uneasy things that a House of Commons of England sometimes ventured on, which was ungrateful to the court: such an attempt, instead of shaking the earl of Lauderdale, would give him a faster root with the king. They must therefore content themselves with letting the king see how well his service went on in their hands, and how unjustly they had been misrepresented to him: and thus by degrees they would gain their point, and the earl of Lauderdale would become useless to the king. So this design was let fall. But the earl of Rothes assured Lauderdale he had diverted the storm: though Primrose told me this was the true ground on which they proceeded. They became all friends as to outward appearance.

Thus I have gone through the actings of the first session of this parliament with relation to public affairs. It was a mad roaring time, full of extravagance; and no wonder it was so, when the men of affairs were almost perpetually drunk. I shall in the next place give an account of the attainders passed in it.

The first and chief of these was of the marquis of Argyle. He was indicted at the king's suit for a great many facts, that were reduced to three heads. The first was of his public actings during the wars, of which many instances were given, such as his being concerned in the delivering up of the king to the English at Newcastle, his opposing the engagement in the year 1648, and his heading the rising in the west in opposition to the committee of estates: in this, and many other steps made during the war, he was esteemed the principal actor, and so ought to be made the greatest example for terrifying others. The second head consisted of many murders, and other barbarities, committed by his officers during the war, on many of the king's party, chiefly on those who had served under the marquis of Montrose, many of them being murdered in cold blood. The third head consisted of some articles of his concurrence with Cromwell and the usurpers, in opposition to those who appeared for the king in the Highlands, his being one of his parliament, and assisting in proclaiming him protector, with a great many other particulars, into which his compliance was branched out. He had counsel assigned him, who performed their part very well.

The substance of his defence was, that during the late wars he was but one among a great many more: he had always acted by authority of parliament, and according to the instructions that were given him, as oft as he was sent on any expedition or negotiation. As to all things done before the year 1641, the late king had buried them in an act of oblivion then passed, as the present king had also done in the year 1651: so he did not think he was bound to answer to any particular before that time. For the second head, he was at London when most of the barbarities set out in it were committed: nor did it appear that he gave any orders about them. It was well known that great outrages had been committed by the Macdonalds: and he believed his people, when they had the better of them, had taken cruel revenges: this was to be imputed to the heat of the time, and to the tempers of the people, who had been much provoked by the burning of his whole country, and by much blood that was shed. And as to many stories laid to the charge of his men, he knew some of them were mere forgeries, and others were aggravated much beyond the truth: but, what truth soever might be in them, he could not be answerable, but for what was done by himself, or by his orders. As to the third head, of his compliance with the usurpation, he had stood out till the nation was quite conquered: and in that case it was the received opinion both of divines and lawyers, that men might lawfully submit to an usurpation, when forced to it by an inevitable necessity. It was the epidemical sin of the nation. His circumstances were such, that more than a bare compliance was required of him. What he did that way was only to



preserve himself and his family, and was not done on design to oppose the king's interest. Nor did his service suffer by any thing he did. This was the substance of his defence in a long speech, which he made with so good a grace and so skilfully, that his character was as much raised as his family suffered by the prosecution. In one speech, excusing his compliance with Cromwell, he said, what could he think of that matter, after a man so eminent in the law as his majesty's advocate had taken the engagement? This inflamed the other so much, that he called him an impudent villain, and was not so much as chid for that barbarous treatment. Lord Argyle gravely said, he had learned in his affliction to bear reproaches; but if the parliament saw no cause to condemn him, he was less concerned at the king's advocate's railing. The king's advocate put in an additional article, of charging him with accession to the king's death, for which all the proof he offered lay in a presumption. Cromwell had come down to Scotland with his army in September 1648, and at that time he had many and long conferences with Argyle; and immediately upon his return to London, the treaty with the king was broken off, and the king was brought to his trial: the advocate from thence inferred, that it was to be presumed that Cromwell and Argyle had concerted that matter between them. While this process was carried on, which was the most solemn that ever was in Scotland, the lord Lorn continued at court soliciting for his father; and obtained a letter to be written by the king to the earl of Middleton, requiring him to order his advocate not to insist on any public proceedings before the indemnity he himself had passed in the year 1651. He also required him, when the trial was ended, to send up the whole process, and lay it before the king, before the parliament should give sentence. The earl of Middleton submitted to the first part of this: so all farther inquiry into those matters was superseded. But as to the second part of the letter, it looked so like a distrust of the justice of the parliament, that he said, he durst not let it be known, till he had a second and more positive order, which he earnestly desired might not be sent; for it would very much discourage this loyal and affectionate parliament: and he begged earnestly to have this order recalled; which was done. For some time there was a stop to the proceedings, in which lord Argyle was contriving an escape out of the castle. He kept his bed for some days: and his lady being of the same stature with himself, and coming to him in a chair, he had put on her clothes, and was going into the chair: but he apprehended he should be discovered, and his execution hastened; and so his heart failed him. The earl of Middleton resolved, if possible, to have the king's death fastened on him. By this means, as he would die with the more infamy, so he reckoned this would put an end to the family, since no body durst move in favour of the son of one judged guilty of that crime. And he, as was believed, hoped to obtain a grant of his estate. Search was made into all the precedents of men who had been at any time condemned upon presumption. And the earl of Middleton resolved to argue the matter himself, hoping that the weight of his authority would bear down all opposition. He managed it indeed with more force than decency: he was too vehement, and maintained the argument with a strength that did more honour to his parts than to his justice or his character. But Gilmore, though newly made president of the session, which is the supreme court of justice in that kingdom, abhorred the precedent of attainting a man upon so remote a presumption; and looked upon it as less justifiable than the much-decried attainder of the earl of Strafford. So he undertook the argument against Middleton; they replied upon one another thirteen or fourteen times in a debate that lasted many hours. Gilmore had so clearly the better of the argument, that, though the parliament was so set against Argyle that every thing was like to pass that might blacken him, yet, when it was put to the vote, he was acquitted as to that by a great majority: at which he expressed so much joy, that he seemed little concerned at any thing that could happen to him after that. All that remained was to make his compliance with the usurpers appear to be treason. The debate was like to have lasted long. The earl of Loudon, who had been lord chancellor, and was counted the most eloquent man of that time, for he had a copiousness in speaking that was never exhausted (he was come of his family, and was his particular friend), had prepared a long and learned argument on that head. He had gathered the opinions both of divines and lawyers, and had laid together a great deal out of history, more particularly out of the Scotch history, to show that it had never been censured as a crime: but that on the contrary, in all their confusions, the men,

who had merited the most of the crown in all its shakings, were persons who had got credit by compliance with the side that prevailed, and by that means had brought things about again. But, while it was very doubtful how it would have gone, Monk by an inexcusable baseness had searched among his letters, and found some that were written by Argyle to himself, that were hearty and zealous on their side. These he sent down to Scotland. And after they were read in parliament, it could not be pretended that his compliance was feigned, or extorted from him. Every body blamed Monk for sending these down, since it was a betraying the confidence that they then lived in. They were sent by an express, and came to the earl of Middleton after the parliament was engaged in the debate. So he ordered the letters to be read. This was much blamed, as contrary to the forms of justice, since probation was closed on both sides. But the reading of them silenced all farther debate. All his friends went out: and he was condemned as guilty of treason. The marquis of Montrose only refused to vote. He owned, he had too much resentment to judge in that matter. It was designed he should be hanged, as the marquis of Montrose had been: but it was carried that he should be beheaded, and that his head should be set up where lord Montrose's had been set. He received his sentence decently, and composed himself to suffer.

\* The day before his death he wrote to the king, justifying his intentions in all he had acted in the matter of the covenant: he protested his innocence as to the death of the late king: he submitted patiently to his sentence, and wished the king a long and happy reign: he cast his family and children upon his mercy; and prayed that they might not suffer for their father's fault. On the twenty-seventh of May, the day appointed for his execution, he came to the scaffold in a very solemn but undaunted manner, accompanied with many of the nobility, and some ministers. He spoke for half an hour with a great appearance of serenity. Cunningham, his physician, told me he touched his pulse, and that it did then beat at the usual rate, calm and strong. He did in a most solemn manner vindicate himself from all knowledge or accession to the king's death: he pardoned all his enemies; and submitted to the sentence, as to the will of God: he spoke highly in justification of the covenant, calling it the cause and work of God; and expressed his apprehension of sad times likely to follow; and exhorted all people to adhere to the covenant, and to resolve to suffer rather than sin against their consciences. He parted with all his friends very decently; and after some time spent in his private devotions he was beheaded †.

A few days after Guthry suffered. He was accused of accession to the remonstrance when the king was in Scotland, and for a book he had printed with the title "Of the Causes of God's Wrath upon the Nation;" in which the treating with the king, the tendering him the covenant, and the admitting him to the exercise of the government, were highly aggravated as great acts of apostacy. His declining the king's authority to judge of his sermons, and his protesting for remedy of law against him, and the late seditious paper that he was drawing others to concur in, were the matters objected to him. He was a resolute and stiff man: so

\* The letter is dated the very day of his execution, "From your Prison, Edinburgh, May 16th, 1661."—Wodrow's Hist. of the Church of Scotland, i. p. 54.

† Archibald Campbell, marquis of Argyle, was aged sixty-three years when he was executed in 1661. No man was ever more formally murdered with the mockery of a judicial trial. His only crime was that he was an opponent of violent measures, and consequently incurred the hatred of the earl of Middleton. It is not possible within the limit of a note to trace the events of his life, demonstrating that he really thought, as he once wrote to the earl of Strafford, "that his duty to the king would be best shown by maintaining the constitution of his country in church and state."—Strafford's Letters, ii. 187—290. He was an acknowledged friend and benefactor both of Charles the Second and his father; and although in common with many others, whose allegiance was never impugned, he consented not to disturb the protectorate, yet a letter of general Monk's exists in which he tells secretary Thurloe he considers the marquis would not do Cromwell's "interest any good."

Thurloe's State Papers, vii. 584. It is certain that he never committed any acts inconsistent with his loyalty to his king and country; it is equally certain that, in despite of the directions of Charles, the earl of Middleton hurried his execution without first consulting that king. The details of the earl's accusation and defence are but imperfectly given in the "State Trials," ii. 413. A very impartial and authentic life of the marquis is given in the Biographia Britannica; where are stated some very satisfactory reasons to convince us that Burnet's statement relative to the letters of Monk, produced at the trial of the marquis, was from false information. If those letters contained the statements alleged, the marquis had no cause to complain of ill-treatment, for he was in that case a traitor. But those who have written in defence of Charles the Second's government of Scotland (among others sir George Mackenzie, who was Argyle's counsel) have passed over this transaction in silence; and no other authority but Burnet mentions the production of such documents.

when his lawyers offered him legal defences, he would not be advised by them, but resolved to take his own way. He confessed and justified all that he had done, as agreeing to the principles and practices of the kirk, who had asserted all along that the doctrine delivered in their sermons did not fall under the cognisance of the temporal courts, till it was first judged by the church; for which he brought much tedious proof. He said, his protesting for remedy of law against the king was not meant at the king's person, but was only with relation to costs and damages. The earl of Middleton had a personal animosity against him; for in the late times he had excommunicated him: so his eagerness in the prosecution did not look well. The defence he made signified nothing to justify himself, but laid a great load on presbytery, since he made it out beyond all dispute that he had acted upon their principles, which made them the more odious, as having among them some of the worst maxims of the church of Rome; that in particular, to make the pulpit a privileged place, in which a man might safely vent treason, and be secure in doing it, if the church judicatory should agree to acquit him. So upon this occasion great advantage was taken, to show how near the spirit that had reigned in presbytery came up to popery. It was resolved to make a public example of a preacher: so he was singled out. He gave no advantage to those who wished to have saved him by the least step towards any submission, but much to the contrary. Yet, though all people were disgusted at the earl of Middleton's eagerness in the prosecution, the earl of Tweeddale was the only man that moved against the putting him to death. He said, banishment had been hitherto the severest censure that had been laid on the preachers for their opinions: he knew Guthry was a man apt to give personal provocation; and he wished that might not have too great a share in carrying the matter so far. Yet he was condemned to die. I saw him suffer. He was so far from showing any fear, that he rather expressed a contempt of death. He spoke an hour upon the ladder, with the composedness of a man that was delivering a sermon rather than his last words. He justified all he had done, and exhorted all people to adhere to the covenant, which he magnified highly. With him one Gouan was also hanged, who had deserted the army while the king was in Scotland, and had gone over to Cromwell. The man was inconsiderable, till they made him more considered by putting him to death, on such an account, at so great a distance of time.

The gross iniquity of the court appeared in nothing more eminently than in the favour showed Maccloud of Assin, who had betrayed the marquis of Montrose, and was brought over upon it. He in prison struck up to a high pitch of vice and impiety, and gave great entertainments: and that, notwithstanding the baseness of the man and of his crimes, begot him so many friends, that he was let go without any censure. The proceedings against Wariston were soon despatched, he being absent. It was proved that he had presented the remonstrance, that he had acted under Cromwell's authority, and had sat as a peer in his parliament, that he had confirmed him in his protectorship, and had likewise sat as one of the committee of safety: so he was attainted. Swintoun had been attainted in the parliament at Stirling for going over to Cromwell: so he was brought before the parliament to hear what he could say why the sentence should not be executed. He was then become a quaker; and did, with a sort of eloquence that moved the whole house, lay out all his own errors, and the ill spirit he was in when he committed the things that were charged on him, with so tender a sense, that he seemed as one indifferent what they should do with him: and without so much as moving for mercy, or even for a delay, he did so effectually prevail on them, that they recommended him to the king as a fit object of his mercy. This was the more easily consented to by the earl of Middleton, in hatred to the earl of Lauderdale, who had got the gift of his estate\*. He had two great pleas in law: the one was, that the record of his attainder at Stirling, with all that had passed in that parliament, was lost: the other was, that by the

\* The conduct and emulation in hatred of these two worthies will further appear in many future black passages. No stronger instances of the tyrant misrule that roused our forefathers to resistance can be quoted than the practice noticed in the text of granting the estates of prisoners charged with treason before they were convicted. The profligate Charles and his ministers continued the practice, though against it, early in the reign of James the first,

honest Sir Edward Coke, and the rest of the English judges, had recorded their opinion; because, as they said, "in our experience it maketh the more violent and undue proceeding against the subject, to the scandal of justice, and the offence of many."—Coke's Reports, xii. 37. a. Such grants were not finally abolished until 1688, when they were made void by act of parliament, 1 Wm. and Mary, c. 2.



act rescissory that parliament being annulled, all that was done by it was void : but he urged neither, since there was matter enough to attain him anew, if the defects of that supposed attainder had been observed. So till the act of indemnity was passed he was still in danger, having been the man of all Scotland that had been the most trusted and employed by Cromwell : but upon passing the act of indemnity he was safe.

The session of parliament was now brought to a conclusion, without any motion for an act of indemnity. The secret of this was, that since episcopacy was to be set up, and that those who were most like to oppose it were on other accounts obnoxious, it was thought best to keep them under that fear, till the change should be made. The earl of Middleton went up to court full of merit, and as full of pride. He had a mind to be lord treasurer ; and told the king, that, if he intended to set up episcopacy, the earl of Crawford, who was a noted presbyterian, must be put out of that post : it was the opinion of the king's zeal for that form of government that must bear down all the opposition that might otherwise be made to it ; and it would not be possible to persuade the nation of that, as long as they saw the white staff in such hands. Therefore, on the first day on which a Scotch council was called after he came up, he gave a long account of the proceedings of parliament, and magnified the zeal and loyalty that many had expressed, while others that had been not only pardoned, but were highly trusted by the king, had been often cold and backward, and sometimes plainly against the service. The earl of Lauderdale was ill that day : so the earl of Crawford undertook to answer this reflection, which he thought was meant of himself, for opposing the act rescissory. He said, he had observed such an entire unanimity in carrying on the king's service, that he did not know of any that had acted otherwise : and therefore he moved, that the earl of Middleton might speak plain, and name persons. The earl of Middleton desired to be excused : he did not intend to accuse any : but yet he thought he was bound to let the king know how he had been served. The earl of Crawford still pressed him to speak out after so general an accusation : no doubt, he would inform the king in private who these persons were : and since he had already gone so far in public, he thought he ought to go farther. The earl of Middleton was in some confusion ; for he did not expect to be thus attacked : so to get off he named the opposition that the earl of Tweeddale had made to the sentence passed on Guthry, not without making indecent reflections on it, as if his prosecution had flowed from the king's resentments of his behaviour to himself : and so he turned the matter, that the earl of Tweeddale's reflection, which was thought indeed pointed against himself, should seem as meant against the king. The earl of Crawford upon this said, that the earl of Middleton ought to have excepted to the words when they were first spoken ; and no doubt the parliament would have done the king justice : but it was never thought consistent with the liberty of speech in parliament, to bring men into question afterwards for words spoken in any debate, when they were not challenged as soon as they were spoken. The earl of Middleton excused himself : he said the thing was passed before he made due reflections on it ; and so asked pardon for that omission. The earl of Crawford was glad he himself had escaped, and was silent as to the earl of Tweeddale's concern ; so, nobody offering to excuse him, an order was presently sent down for committing him to prison, and for examining him upon the words he had spoken, and on his meaning in them. That was not a time in which men durst pretend to privilege, or the freedom of debate : so he did not insist on it ; but sent up such an account of his words, and such an explanation of them, as fully satisfied the king. So after the imprisonment of some weeks he was set at liberty. But this raised a great outcry against the earl of Middleton, as a thing that was contrary to the freedom of debate, and destructive of the liberty of parliament. It lay the more open to censure, because the earl of Middleton had accepted of a great entertainment from the earl of Tweeddale after Guthry's business was over : and it seemed contrary to the rules of hospitality, to have such a design in his heart against a man in whose house he had been so treated : all the excuse he made for it was, that he never intended it ; but that the earl of Crawford had pressed him so hard upon the complaint he had made in general, that he had no way of getting out of it without naming some particulars ; and he had no other ready then at hand.

Another difference of greater moment fell in between him and the earl of Crawford. The earl of Middleton was now raising the guards, that were to be paid out of the excise granted

by the parliament. So he moved, that the excise might be raised by collectors named by himself as general, that so he might not depend on the treasury for the pay of the forces. The earl of Crawford opposed this with great advantage, since all revenues given the king did by the course of law come into the treasury. Scotland was not in a condition to maintain two treasurers: and, as to what was said, of the necessity of having the pay of the army well ascertained and ever ready, otherwise it would become a grievance to the kingdom, he said, the king was master, and what orders soever he thought fit to send to the treasury, they should be most punctually obeyed. But the earl of Middleton knew there would be a great overplus of the excise beyond the pay of the troops: and he reckoned, that, if the collection was put in his hands, he would easily get a grant of the overplus at the year's end. The earl of Crawford said, no such thing was ever pretended to by any general, unless by such as set up to be independent, and who hoped by that means to make themselves the masters of the army. So he carried the point, which was thought a victory. And the earl of Middleton was much blamed for putting his interest at court on such an issue, where the pretension was so unusual and so unreasonable.

The next point was concerning lord Argyle's estate. The king was inclined to restore the lord Lorn; though much pains was taken to persuade him, that all the zeal he had expressed in his service was only an artifice between his father and him to preserve the family in all adventures: it was said, that had been an ordinary practice in Scotland for father and son to put themselves in different sides. The marquis of Argyle had taken very extraordinary methods to raise his own family to such a superiority in the Highlands, that he was a sort of a king among them. The marquis of Huntley had married his sister: and during their friendship Argyle was bound with him for some of his debts. After that, the marquis of Huntley, as he neglected his affairs, so he engaged in the king's side, by which Argyle saw he must be undone. So he pretended, that he only intended to secure himself, when he bought in prior mortgages and debts, which, as was believed, were compounded at very low rates. The friends of the marquis of Huntley's family pressed the king hard to give his heirs the confiscation of that part of Argyle's estate, in which the marquis of Huntley's debts, and all the pretension on his estate were comprehended. And it was given to the marquis of Huntley, now duke of Gordon, then a young child: but no care was taken to breed him a protestant. The marquis of Montrose, and all others whose estates had been ruined under Argyle's conduct, expected likewise reparation out of his estate; which was a very great one, but in no way able to satisfy all those demands. And it was believed that the earl of Middleton himself hoped to have carried away the main bulk of it; so that both the lord Lorn and he concurred, though with different views, to put a stop to all the pretensions made upon it.

The point of the greatest importance then under consideration was, whether episcopacy should be restored in Scotland, or not. The earl of Middleton assured the king, it was desired by the greater and honester part of the nation. One synod had as good as petitioned for it: and many others wished for it, though the share they had in the late wars made them think it was not fit or decent for them to move for it. Sharp assured the king, that none but the protestors, of whom he had a very bad opinion, were against it; and that of the resolutions there would not be found twenty that would oppose it. All those who were for making the change agreed, that it ought to be done now, in the first heat of joy after the restoration, and before the act of indemnity passed. The earl of Lauderdale and all his friends on the other hand assured the king, that the national prejudice against it was still very strong, that those who seemed zealous for it ran into it only as a method to procure favour, but that those who were against it would be found stiff and eager in their opposition to it; that by setting it up the king would lose the affections of the nation, and that the supporting it would grow a heavy load on his government. The earl of Lauderdale turned all this, that looked like a zeal for presbytery, to a dexterous insinuating himself into the king's confidence; as one that designed nothing but his greatness and his having Scotland sure to him, in order to the executing of any design he might afterwards be engaged in. The king went very coldly into the design. He said, he remembered well the aversion that he himself had observed in that nation to any thing that looked like a superiority in the church. But to that the earl of Middleton and Sharp answered, by assuring him that the insolencies committed by the

presbyterians while they governed, and the ten years' usurpation that had followed, had made such a change in people's tempers, that they were much altered since he had been among them. The king naturally hated presbytery : and having called a new parliament in England, that did with great zeal espouse the interests of the church of England, and were now beginning to complain of the evacuating the garrisons held by the army in that kingdom, he gave way, though with a visible reluctancy, to the change of the church government in Scotland. The aversion he seemed to express was imputed to his own indifference as to all those matters, and to his unwillingness to involve his government in new trouble. But the view of things that the earl of Lauderdale had given him was the true root of all that coldness. The earl of Clarendon set it on with great zeal. And so did the duke of Ormond ; who said, it would be very hard to maintain the government of the church in Ireland, if presbytery continued in Scotland ; since the northern counties, which were the best stocked of any they had, as they were originally from Scotland, so they would still follow the way of that nation. Upon all this diversity of opinion, the thing was proposed in a Scotch council at Whitehall. The earl of Crawford declared himself against it : but the earl of Lauderdale, duke Hamilton, and sir Robert Murray, were only for delaying the making any such change, till the king should be better satisfied concerning the inclinations of the nation. The result of the debate (all the rest who were present being earnest for the change) was, that a letter was written to the privy council of Scotland, intimating the king's intentions for setting up episcopacy, and demanding their advice upon it. The earl of Glencairn ordered the letter to be read, having taken care that such persons should be present who he knew would speak warmly for it, that so others, who might intend to oppose it, might be frightened from doing it. None spoke against it but the earl of Kincairdine. He proposed, that some certain methods might be taken, by which they might be well informed, and so be able to inform the king, of the temper of the nation, before they offered an advice, that might have such effects as might very much perplex, if not disorder, all their affairs. Some smart repartees passed between the earl of Glencairn and him. This was all the opposition that was made at that board. So a letter was written to the king from thence, encouraging him to go on, and assuring him, that the change he intended to make would give a general satisfaction to the main body of the nation.

Upon that the thing was resolved on. It remained after this only to consider the proper methods of doing it, and the men who ought to be employed in it. Sheldon and the English bishops had an aversion to all that had been engaged in the covenant ; so they were for seeking out all the episcopal clergy, who had been driven out of Scotland in the beginning of the troubles, and preferring them. There was but one of the old bishops left alive, Sydserfe, who had been bishop of Galloway. He had come up to London, not doubting but that he should be advanced to the Primacy of Scotland. It is true, he had of late done some very irregular things : when the act of uniformity required all men who held any benefices in England to be episcopally ordained, he, who by observing the ill effects of their former violence was become very moderate, with others of the Scotch clergy that gathered about him, did set up a very indefensible practice of ordaining all those of the English clergy who came to him, and that without demanding either oaths or subscriptions of them. Some believed, that this was done by him, only to subsist on the fees that arose from the letters of orders so granted ; for he was very poor. This did so disgust the English bishops at him and his company, that they took no care of him or them. Yet they were much against a set of presbyterian bishops. They believed they could have no credit, and that they would have no zeal. This touched Sharp to the quick : so he laid the matter before the earl of Clarendon. He said, these old episcopal men by their long absence out of Scotland knew nothing of the present generation and by the ill usage they had met with they were so irritated, that they would run matters quickly to great extremities. And, if there was a faction among the bishops, some valuing themselves upon their constant steadiness, and looking with an ill eye on those who had been carried away with the stream, this would divide and distract their counsels ; whereas a set of men of moderate principles would be more uniform in their proceedings. This prevailed with the earl of Clarendon, who saw the king so remiss in that matter, that he resolved to keep things in as great temper as was possible. And he, not doubting but that Sharp would



pursue that in which he seemed to be so zealous and hot, and carry things with great moderation, persuaded the bishops of England to leave the management of that matter wholly to him. And Sharp, being assured of that at which he had long aimed, laid aside his mask; and owned, that he was to be archbishop of St. Andrews. He said to some, from whom I had it, that when he saw that the king was resolved on the change, and that some hot men were like to be advanced, whose violence would ruin the country, he had submitted to that post on design to moderate matters, and to cover some good men from a storm that might otherwise break upon them. So deeply did he still dissemble: for now he talked of nothing so much as of love and moderation.

Sydsersfe was removed to be bishop of Orkney, one of the best revenues of any of the bishoprics in Scotland: but it had been almost in all times a sinecure. He lived little more than a year after his translation. He had died in more esteem, if he had died a year before it. But Sharp was ordered to find out proper men for filling up the other sees. That care was left entirely to him. The choice was generally very bad.

Two men were brought up to be consecrated in England, Fairfoul, designed for the see of Glasgow, and Hamilton, brother to the lord Belhaven, for Galloway. The former of these was a pleasant and facetious man, insinuating and crafty: but he was a better physician than a divine. His life was scarce free from scandal: and he was eminent in nothing that belonged to his own function. He had not only sworn the covenant, but had persuaded others to do it. And when one objected to him, that it went against his conscience, he answered, there were some very good medicines that could not be chewed, but were to be swallowed down; and since it was plain that a man could not live in Scotland unless he swore it, therefore it must be swallowed down without any farther examination. Whatever the matter was, soon after the consecration his parts sunk so fast, that in a few months he, who had passed his whole life long for one of the cunningest men in Scotland, became almost a changeling; upon which it may be easily collected what commentaries the presbyterians would make. Sharp lamented this to me, as one of their great misfortunes. He said it began to appear in less than a month after he came to London. Hamilton was a good-natured man, but weak. He was always believed episcopal. Yet he had so far complied in the time of the covenant, that he affected a peculiar expression of his counterfeit zeal for their cause, to secure himself from suspicion: when he gave the sacrament, he excommunicated all that were not true to the covenant, using a form in the Old Testament of shaking out the lap of his gown; saying, so did he cast out of the church and communion all that dealt falsely in the covenant.

With these there was a fourth man found out, who was then at London at his return from the Bath, where he had been for his health: and on him I will enlarge more copiously. He was the son of Doctor Leighton, who had in archbishop Laud's time written "Zion's Plea against the Prelates;" for which he was condemned in the star-chamber to have his ears cut and his nose slit. He was a man of a violent and ungoverned heat. He sent his eldest son Robert to be bred in Scotland, who was accounted a saint from his youth up. He had great quickness of parts, a lively apprehension, with a charming vivacity of thought and expression. He had the greatest command of the purest Latin that ever I knew in any man. He was a master both of Greek and Hebrew, and of the whole compass of theological learning, chiefly in the study of the Scriptures. But that which excelled all the rest was, he was possessed with the highest and noblest sense of divine things that I ever saw in any man. He had no regard to his person, unless it was to mortify it by a constant low diet, that was like a perpetual fast. He had a contempt both of wealth and reputation. He seemed to have the lowest thoughts of himself possible, and to desire that all other persons should think as meanly of him as he did himself: he bore all sorts of ill usage and reproach, like a man that took pleasure in it. He had so subdued the natural heat of his temper, that in a great variety of accidents, and in a course of twenty-two years' intimate conversation with him, I never observed the least sign of passion, but upon one single occasion. He brought himself into so composed a gravity, that I never saw him laugh, and but seldom smile. And he kept himself in such a constant recollection, that I do not remember that ever I heard him say one idle word. There was a visible tendency in all he said to raise his own mind, and those he conversed with to serious reflections. He seemed to be in a perpetual meditation. And, though the whole course of his life was strict and

ascetical, yet he had nothing of the sourness of temper that generally possesses men of that sort. He was the freest from superstition, of censuring others, or of imposing his own methods on them possible. So that he did not so much as recommend them to others. He said there was a diversity of tempers; and every man was to watch over his own, and to turn it in the best manner he could. His thoughts were lively, oft out of the way and surprising, yet just and genuine. And he had laid together in his memory the greatest treasure of the best and wisest of all the ancient sayings of the heathens as well as christians, that I have ever known any man master of: and he used them in the aptest manner possible. He had been bred up with the greatest aversion imaginable to the whole frame of the church of England. From Scotland his father sent him to travel. He spent some years in France, and spoke that language like one born there. He came afterwards and settled in Scotland, and had presbyterian ordination. But he quickly broke through the prejudices of his education. His preaching had a sublimity both of thought and expression in it. The grace and gravity of his pronounciation was such, that few heard him without a very sensible emotion: I am sure I never did. His style was rather too fine: but there was a majesty and beauty in it that left so deep an impression, that I cannot yet forget the sermons I heard him preach thirty years ago. And yet with this he seemed to look on himself as so ordinary a preacher, that while he had a cure he was ready to employ all others: and when he was a bishop he chose to preach to small auditories, and would never give notice beforehand: he had indeed a very low voice, and so could not be heard by a great crowd. He soon came to see into the follies of the presbyterians, and to dislike their covenant; particularly the imposing it, and their fury against all who differed from them. He found they were not capable of large thoughts: theirs were narrow, as their tempers were sour. So he grew weary of mixing with them. He scarce ever went to their meetings, and lived in great retirement, minding only the care of his own parish at Newbottle, near Edinburgh. Yet all the opposition that he made to them was, that he preached up a more exact rule of life than seemed to them consistent with human nature: but his own practice did even outshine his doctrine.

In the year 1648 he declared himself for the engagement for the king; but the earl of Lothian, who lived in his parish, had so high an esteem for him, that he persuaded the violent men not to meddle with him, though he gave occasion to great exception; for when some of his parish, who had been in the engagement, were ordered to make public profession of their repentance for it, he told them, they had been in an expedition, in which, he believed, they had neglected their duty to God, and had been guilty of injustice and violence, of drunkenness and other immoralities, and he charged them to repent of these very seriously, without meddling with the quarrel or the grounds of that war. He entered into a great correspondence with many of the episcopal party, and with my own father in particular, and did wholly separate himself from the presbyterians. At last he left them, and withdrew from his cure, for he could not do the things imposed on him any longer; and yet he hated all contention so much, that he chose rather to leave them in a silent manner, than to engage in any disputes with them: but he had generally the reputation of a saint, and of something above human nature in him. So the mastership of the college of Edinburgh falling vacant some time after, and it being in the gift of the city, he was prevailed with to accept of it, because in it he was wholly separated from all church matters. He continued ten years in that post, and was a great blessing in it; for he talked so to all the youth of any capacity or distinction, that it had great effect on many of them. He preached often to them; and if crowds broke in, which they were apt to do, he would have gone on in his sermon in Latin, with a purity and life that charmed all who understood it. Thus he had lived above twenty years in Scotland, in the highest reputation that any man in my time ever had in that kingdom.

He had a brother well known at court, sir Elisha, who was very like him in face and in the vivacity of his parts, but the most unlike him in all other things that can be imagined; for, though he loved to talk of great sublimities in religion, yet he was a very immoral man. He was a papist of a form of his own, but he had changed his religion to raise himself at court; for he was at that time secretary to the duke of York, and was very intimate with the lord Aubigny, a brother of the duke of Richmond, who had changed his religion, and was a priest, and had probably been a cardinal if he had lived a little longer. He maintained

an outward decency, and had more learning and better notions than men of quality who enter into orders in that church generally have. Yet he was a very vicious man ; and that perhaps made him the more considered by the king, who loved and trusted him to a high degree. No man had more credit with the king, for he was in the secret as to his religion, and was more trusted with the whole design, that was then managed in order to establish it, than any man whatsoever. Sir Elisha brought his brother and him acquainted ; for Leighton loved to know men in all the varieties of religion.

In the vacation time he made excursions, and came oft to London, where he observed all the eminent men in Cromwell's court, and in the several parties then about the city of London. But he told me, he could never see any thing among them that pleased him. They were men of unquiet and meddling tempers, and their discourses and sermons were dry and unsavoury, full of airy cant, or of bombast swellings. Sometimes he went over to Flanders, to see what he could find in the several orders of the church of Rome. There he found some of Jansenius's followers, who seemed to be men of extraordinary tempers, and studied to bring things, if possible, to the purity and simplicity of the primitive ages, on which all his thoughts were much set. He thought controversies had been too much insisted on, and had been carried too far. His brother, who thought of nothing but the raising himself at court, fancied that his being made a bishop might render himself more considerable. So he possessed the lord Aubigny with such an opinion of him, that he made the king apprehend, that a man of his piety and his notions (and his not being married was not forgotten) might contribute to carry on their design. He fancied such a monastic man, who had a great stretch of thought, and so many other eminent qualities, would be a mean at least to prepare the nation for popery, if he did not directly come over to them ; for his brother did not stick to say, he was sure that lay at root with him. So the king named him of his own proper motion, which gave all those that began to suspect the king himself great jealousies of him. Leighton was averse to this promotion, as much as was possible. His brother had great power over him, for he took care to hide his vices from him, and to make before him a show of piety. He seemed to be a papist rather in name and show than in reality, of which I will set down one instance that was then much talked of. Some of the church of England loved to magnify the sacrament in an extraordinary manner, affirming the real presence, only blaming the church of Rome for defining the manner of it ; saying, Christ was present in a most inconceivable manner. This was so much the mode, that the king and all the court went into it. So the king, upon some raillery about transubstantiation, asked sir Elisha if he believed it. He answered, he could not well tell, but he was sure the church of England believed it. And when the king seemed amazed at that, he replied, do not you believe that Christ is present in a most inconceivable manner ? Which the king granted. Then, said he, that is just transubstantiation, the most inconceivable thing that was ever yet invented. When Leighton was prevailed on to accept a bishopric, he chose Dunblane, a small diocese as well as a little revenue : but the deanery of the chapel royal was annexed to that see ; so he was willing to engage in that, that he might set up the common prayer in the king's chapel, for the rebuilding of which orders were given. The English clergy were well pleased with him, finding him both more learned, and more thoroughly theirs in the other points of uniformity, than the rest of the Scotch clergy, whom they could not much value. And though Sheldon did not much like his great strictness, in which he had no mind to imitate him, yet he thought such a man as he was might give credit to episcopacy, in its first introduction to a nation much prejudiced against it. Sharp did not know what to make of all this. He neither liked his strictness of life, nor his notions. He believed they would not take the same methods, and fancied he might be much obecured by him ; for he saw he would be well supported. He saw the earl of Lauderdale began to magnify him. And so Sharp did all he could to discourage him, but without any effect, for he had no regard to him. I bear still the greatest veneration for the memory of that man, that I do for any person, and reckon my early knowledge of him, which happened the year after this, and my long and intimate conversation with him, that continued to his death, for twenty-three years, among the greatest blessings of my life, and for which I know I must give an account to God in the great day in a most particular manner ; and yet, though I know this account of



his promotion may seem a blemish upon him, I would not conceal it, being resolved to write of all persons and things with all possible candour. I had the relation of it from himself, and more particularly from his brother. But what hopes soever the papists had of him at this time, when he knew nothing of the design of bringing in popery, and had therefore talked of some points of popery with the freedom of an abstracted and speculative man, yet he expressed another sense of the matter when he came to see it was really intended to be brought in among us. He then spoke of popery in the complex at much another rate ; and he seemed to have more zeal against it, than I thought was in his nature with relation to any points in controversy ; for his abstraction made him seem cold in all those matters. But he gave all who conversed with him a very different view of popery, when he saw we were really in danger of coming under the power of a religion, that had, as he used to say, much of the wisdom that was earthly, sensual, and devilish, but had nothing in it of the wisdom that was from above, and was pure and peaceable. He did indeed think the corruptions and cruelties of popery were such gross and odious things, that nothing could have maintained that church under those just and visible prejudices, but the several orders among them, which had an appearance of mortification and contempt of the world, and with all the trash that was among them maintained a face of piety and devotion. He also thought the great and fatal error of the Reformation was, that more of those houses, and of that course of life, free from the entanglements of vows and other mixtures, was not preserved ; so that the protestant churches had neither places of education, nor retreat for men of mortified tempers. I have dwelt long upon this man's character, but it was so singular, that it seemed to deserve it : and I was so singularly blessed by knowing him as I did, that I am sure he deserved it of me that I should give so full a view of him, which I hope may be of some use to the world.

When the time fixed for the consecration of the bishops of Scotland came on, the English bishops finding that Sharp and Leighton had not episcopal ordination, as priests and deacons, the other two having been ordained by bishops before the wars, they stood upon it, that they must be ordained, first deacons and then priests. Sharp was very uneasy at this, and remembered them of what had happened when king James had set up episcopacy. Bishop Andrews moved at that time the ordaining them, as was now proposed ; but that was overruled by king James, who thought it went too far towards the unchurching of all those who had no bishops among them. But the late war, and the disputes during that time, had raised these controversies higher, and brought men to stricter notions, and to maintain them with more fierceness. The English bishops did also say, that by the late act of uniformity that matter was more positively settled than it had been before ; so that they could not legally consecrate any, but those who were, according to that constitution, made first priests and deacons. They also made this difference between the present time and king James's ; for then the Scots were only in an imperfect state, having never had bishops among them since the Reformation ; so in such a state of things, in which they had been under a real necessity, it was reasonable to allow of their orders, how defective soever : but that of late they had been in a state of schism, had revolted from their bishops, and had thrown off that order ; so that orders given in such a wilful opposition to the whole constitution of the primitive church was a thing of another nature. They were positive in the point, and would not dispense with it. Sharp stuck more at it than could have been expected from a man that had swallowed down greater matters. Leighton did not stand much upon it : he did not think orders given without bishops were null and void. He thought the forms of government were not settled by such positive laws as were unalterable, but only by apostolical practices, which, as he thought, authorised episcopacy as the best form : yet he did not think it necessary to the being of a church. But he thought that every church might make such rules of ordination as they pleased, and that they might re-ordain all that came to them from any other church, and that the re-ordaining a priest ordained in another church imported no more but that they received him into orders according to their rules, and did not infer the annulling the orders he had formerly received. These two were upon this privately ordained deacons and priests ; and then all the four were consecrated publicly in the abbey of Westminster. Leighton told me, he was much struck with the feasting and jollity of that day ; it had not such an appear-

ance of seriousness or piety as became the new-modelling of a church. When that was over, he made some attempts to work up Sharp to the two designs which possessed him most : the one was, to try what could be done towards the uniting the presbyterians and them. He offered Usher's reduction, as the plan upon which they ought to form their schemes \*. The other was, to try how they could raise men to a truer and higher sense of piety, and bring the worship of that church out of their extempore methods into more order ; and so to prepare them for a more regular way of worship, which he thought was of much more importance than a form of government. But he was amazed when he observed that Sharp had neither formed any scheme, nor seemed so much as willing to talk of any. He reckoned they would be established in the next session of parliament, and so would be legally possessed of their bishoprics ; and then every bishop was to do the best he could to get all once to submit to his authority : and when that point was carried, they might proceed to other things, as should be found expedient ; but he did not care to lay down any scheme. Fairfoul, when he talked to him, had always a merry tale ready at hand to divert him ; so that he avoided all serious discourse, and indeed did not seem capable of any. By these means Leighton quickly lost all heart and hope, and said often to me upon it, that in the whole progress of that affair there appeared such cross characters of an angry providence, that, how fully soever he was satisfied in his own mind as to episcopacy itself, yet it seemed that God was against them, and that they were not like to be the men that should build up his church ; so that the struggling about it seemed to him like a fighting against God. He who had the greatest hand in it proceeded with so much dissimulation, and the rest of the order were so mean and so selfish, and the earl of Middleton, with the other secular men that conducted it, were so openly impious and vicious, that it did cast a reproach on every thing relating to religion, to see it managed by such instruments.

All the steps that were made afterwards were of a piece with this melancholy beginning. Upon the consecration of the bishops, the presbyteries of Scotland that were still sitting began now to declare openly against episcopacy, and to prepare protestations, or other acts or instruments, against them. Some were talking of entering into new engagements against the submitting to them ; so Sharp moved, that, since the king had set up episcopacy, a proclamation might be issued out, forbidding clergymen to meet together in any presbytery, or other judicatory, till the bishops should settle a method of proceeding in them. Upon the setting out this proclamation, a general obedience was given to it ; only the ministers, to keep up a show of acting on an ecclesiastic authority, met once and entered into their books a protestation against the proclamation, as an invasion on the liberties of the church, to which they declared they gave obedience only for a time, and for peace sake. Sharp procured this without any advice, and it proved very fatal ; for when king James brought in the bishops before, they had still suffered the inferior judicatories to continue sitting, till the bishops came, and sat down among them : some of them protested indeed against that ; yet they sat on ever after : and so the whole church had a face of unity, while all sat together in the same judicatories, though upon different principles. The old presbyterians said, they sat still as in a court settled by the laws of the church and state : and though they looked on the bishops sitting among them, and assuming a negative vote, as an usurpation, yet, they said, it did not infer a nullity on the court : whereas now, by this silencing these courts, the case was much altered : for if they had continued sitting, and the bishops had come among them, they would have said, it was like

\* The proposition of archbishop Usher to effect a union between the episcopal church and the presbyterian was brought forward by that learned and pious prelate in 1641 and 1648. He suggested there should be suffragans appointed, equalling in number the rural deaneries, who should hold monthly synods of all the rectors or incumbents within their districts : that diocesan synods should meet once or twice annually, consisting of the suffragans and rectors, or a select number of them, presided over by

the bishop, or superintendent ; and that there should be provincial synods every third year, consisting of all the bishops, suffragans, and other elected clergy, of which the primate of the province should be moderator. Charles the First, and the presbyterian clergy, though neither were perfectly satisfied, mutually gave way, and assented to the plan ; but the parliament would not consent to any arrangement that did not secure the entire abolition of episcopacy. —Parr's Life of Usher.—Baxter's Life, by himself.

the bearing with an usurpation, when there was no remedy : and what protestations soever they might have made, or what opposition soever they might have given the bishops, that would have been kept within their own walls, but would not have broken out into such a distraction as the nation was cast into upon this : all the opposition that might have been made would have died with those few that were disposed to make it ; and, upon due care to fill the vacant places with worthy and well-affected men, the nation might have been brought off from their prejudices. But these courts being now once broken, and brought together afterwards by a sort of connivance, without any legal authority, only as the bishop's assistants and officials, to give him advice, and to act in his name, they pretended they could not sit in them any more, unless they should change their principles and become thoroughly episcopal, which was too great a turn to be soon brought about. So fatally did Sharp precipitate matters. He affected to have the reins of the church wholly put into his hands. The earl of Lauderdale was not sorry to see him commit errors ; since the worse things were managed, his advices would be thereby the more justified. And the earl of Middleton and his party took no care of any business, being almost perpetually drunk ; by which they came in a great measure to lose the king. For though, upon a frolic, the king, with a few in whose company he took pleasure, would sometimes run into excess ; yet he did it seldom, and had a very bad opinion of all that got into the habit and love of drunkenness.

The bishops came down to Scotland soon after their consecration, all in one coach. Leighton told me he believed they were weary of him, for he was very weary of them ; but he, finding they intended to be received at Edinburgh with some pomp, left them at Morpeth, and came to Edinburgh a few days before them. He hated all the appearances of vanity. He would not have the title of lord given him by his friends, and was not easy when others forced it on him. In this I always thought him too stiff : it provoked the other bishops, and looked like singularity and affectation, and furnished those that were prejudiced against him with a specious appearance to represent him as a man of odd notions and practices. The lord chancellor, with all the nobility and privy councillors then at Edinburgh, went out, together with the magistracy of the city, and brought the bishops in, as in triumph. I looked on : and though I was thoroughly episcopal, yet I thought there was somewhat in the pomp of that entry, that did not look like the humility that became their function : soon after their arrival, six other bishops were consecrated, but not ordained priests and deacons. The see of Edinburgh was for some time kept vacant. Sharp hoped that Douglas might be prevailed on to accept it ; but he would enter into no treaty about it : so the earl of Middleton forced upon Sharp one Wishart, who had been the marquis of Montrose's chaplain, and had been taken prisoner, and used with so much cruelty in the gaol of Edinburgh, that it seemed but justice to advance a man in that place, where he had suffered so much \*.

The session of parliament came on in April, 1662 ; where the first thing that was proposed by the earl of Middleton was, that since the act rescissory had annulled all the parliaments after that held in the year 1633, the former laws in favour of episcopacy were now again in force, the king had restored that function which had been so long glorious in the church, and for which his blessed father had suffered so much : and though the bishops had a right to come and take their place in parliament, yet it was a piece of respect to send some of every state to invite them to come, and sit among them. This was agreed to : so upon the message

\* Dr. George Wishart was born in East Lothian. He graduated at Edinburgh, and, after ordination, was appointed to the ministry of North Leith. He was ejected from this preferment in 1638, for refusing to take the covenant, and was imprisoned in the *Thief's Hole*, or vilest cell of the Tolbooth prison at Edinburgh. His confinement was long and distressing ; but finally obtaining his liberty, he joined the earl of Montrose, and obtained the chaplaincy of a regiment. He wrote the adventures of that gallant but unfortunate nobleman, as has been mentioned at p. 35, and narrowly escaped sharing his fate.

Subsequently he was chaplain to the sister of Charles the First, the queen of Bohemia. At the Restoration he obtained the incumbency of Newcastle-upon-Tyne ; and in June 1662 was consecrated bishop of Edinburgh, as is mentioned in the text. He died in 1671. Clarendon styles him the " learned and pious." Wood says he was a most religious man, and very charitable. Unforgetful of his sufferings whilst in goal, he always sent the first dish of his dinner to the prisoners.—Wood's *Fasti Oxon.* li. 142—Clarendon's *Hist. of Rebellion*, iii. 225—Keith's *History of the Scotch Bishops*.



the bishops came and took their places. Leighton went not with them, as indeed he never came to parliament but when there was something before them that related to religion, or to the church.

The first act that passed in this session was for restoring episcopacy, and settling the government of the church in their hands. Sharp had the framing of this act, as Primrose told me. The whole government and jurisdiction of the church in the several dioceses was declared to be lodged in the bishops, which they were to exercise with the advice and assistance of such of their clergy as were of known loyalty and prudence: all men that held any benefice in the church were required to own and submit to the government of the church, as now by law established. This was plainly the setting episcopacy on another bottom than it had been ever on in Scotland before this time; for the whole body of the presbyterians did formerly maintain such a share in the administration, that the bishops had never pretended to any more, than to be their settled presidents, with a negative voice upon them. But now it was said, that the whole power was lodged simply in the bishop, who was only bound to carry along with him in the administration so many presbyters as he thought fit to single out, as his advisers and assistants, which was the taking all power out of the body of the clergy: church judicatories were now made only the bishop's assistants; and the few of the clergy that must assist being to be picked out by him, that was only a matter of shew; nor had they any authority lodged with them, all that being vested only in the bishop: nor did it escape censure, that among the qualifications of those presbyters that were to be the bishop's advisers and assistants, loyalty and prudence were only named; and that piety and learning were forgotten, which must always be reckoned the first qualifications of the clergy. As to the obligation to own and submit to the government thus established by law, they said, it was hard to submit to so high an authority as was now lodged with the bishops; but to require them to own it seemed to import an antecedent approving, or at least a subsequent justifying of such an authority, which carried the matter far beyond a bare obedience, even to an imposing upon conscience. These were not only the exceptions made by the presbyterians, but by the episcopal men themselves, who had never carried the argument farther in Scotland, than for a precedency, with some authority in ordination, and a negative in matters of jurisdiction. They thought the body of the clergy ought to be a check upon the bishops, and that, without the consent of the majority, they ought not to be legally empowered to act in so imperious a manner as was warranted by this act. Many of them would never subscribe to this form of owning and submitting: and the more prudent bishops did not impose it on their clergy. The whole frame of the act was liable to great censure. It was thought an inexcusable piece of madness, that, when a government was brought in upon a nation so averse to it, the first step should carry their power so high. All the bishops, except Sharp, disowned their having any share in the penning this act, which, indeed, was passed in haste, without due consideration. Nor did any of the bishops, no, not Sharp himself, ever carry their authority so high as by the act they were warranted to do. But all the enemies to episcopacy had this act ever in their mouths, to excuse their not submitting to it; and said, it asserted a greater stretch of authority in bishops, than they themselves thought fit to assume.

Soon after that act passed, some of the presbyterian preachers were summoned to answer before the parliament for some reflections made in their sermons against episcopacy: but nothing could be made of it, for their words were general, and capable of different senses. So it was resolved, for a proof of their loyalty, to tender them the oath of allegiance and supremacy. That had been enacted in the former parliament, and was refused by none but the earl of Cassilis. He desired that an explanation might be made of the supremacy: the words of the oath were large: and when the oath was enacted in England, a clear explanation was given in one of the articles of the church of England, and more copiously afterwards in a discourse by archbishop Usher, published by king James's order. But the parliament would not satisfy him so far: and they were well pleased to see scruples raised about the oath, that so a colour might be put on their severities against such as should refuse it, as being men that refused to swear allegiance to the king. Upon that the earl of Cassilis left the parliament, and quitted all his employments: for he was a man of a most inflexible firm-

ness. Many said there was no need of an explanation, since, how ambiguous soever the words might be in themselves, yet that oath, being brought to Scotland from England, ought to be understood in the same sense in which it was imposed in that kingdom. On the other hand, there was just reason for some men being tender in so sacred a matter as an oath. The earl of Cassilis had offered to take the oath, provided he might join his explanation to it. The earl of Middleton was contented to let him say what he pleased, but he would not suffer him to put it in writing. The ministers, to whom it was now tendered, offered to take it upon the same terms; and in a petition to the lords of the articles, they offered their explanation. Upon that a debate arose, whether an act explanatory of the oath should be offered to the parliament, or not. This was the first time that Leighton appeared in parliament. He pressed, it might be done, with much zeal. He said, the land mourned by reason of the many oaths that had been taken: the words of this oath were certainly capable of a bad sense; in compassion to papists, a limited sense had been put on them in England; and he thought there should be a like tenderness showed to protestants, especially when the scruple was just, and there was an oath in the case, in which the matter ought certainly to be made clear: to act otherwise looked like the laying snares for people, and the making men offenders for a word. Sharp took this ill from him, and replied upon him with great bitterness; and said, it was below the dignity of government to make acts to satisfy the weak scruples of peevish men: it ill became them, who had imposed their covenant on all people without any explanation, and had forced all to take it, now to expect such extraordinary favours. Leighton insisted that it ought to be done for that very reason, that all people might see a difference between the mild proceedings of the government now, and their severity: and that it ill became the very same persons, who had complained of that rigour, now to practise it themselves; for thus it may be said, the world goes mad by turns. This was ill taken by the earl of Middleton and all his party: for they designed to keep the matter so, that the presbyterians should be possessed with many scruples on this head; and that, when any of the party should be brought before them, whom they believed in fault, but had not full proof against, the oath should be tendered as the trial of their allegiance, and that on their refusing it they should censure them as they thought fit. So the ministers' petition was rejected, and they were required to take the oath as it stood in the law, without putting any sense upon it. They refused to do it, and were upon that condemned to perpetual banishment, as men that denied allegiance to the king. And by this an engine was found out to banish as many as they pleased; for the resolution was taken up by the whole party to refuse it, unless with an explanation. So soon did men forget all their former complaints of the severity of imposing oaths, and began to set on foot the same practices now, when they had it in their power to do it. But how unbecoming soever this rigour might be in laymen, it was certainly much more indecent when managed by clergymen: and the supremacy which was now turned against the presbyterians was, not long after this, laid much heavier on the bishops themselves: and then they desired an explanation, as much as the presbyterians did now, but could not obtain it.

The parliament was not satisfied with this oath: for they apprehended that many would infer, that, since it came from England, it ought to be understood in the public and established sense of the words that was passed there, both in an article of doctrine and in an act of parliament. Therefore another oath was likewise taken from the English pattern, of abjuring the covenant—both the league and the national covenant. It is true, this was only imposed on men in the magistracy, or in public employments. By it all the presbyterians were turned out; for this oath was decried by the ministers as little less than open apostacy from God, and a throwing off their baptismal covenant.

The main business of this session of parliament, now that episcopacy was settled, and these oaths were enacted, was the passing of the act of indemnity. The earl of Middleton had obtained of the king an instruction to consent to the fining of the chief offenders, or to other punishments not extending to life. This was intended to enrich him and his party, since all the rich and great offenders would be struck with the terror of this, and choose rather to make him a good present, than to be fined on record, as guilty persons. This matter was debated at the council in Whitehall. The earls of Lauderdale and Crawford

argued against it. They said the king had granted a full indemnity in England, out of which none were excepted but the regicides: it seemed, therefore, an unkind and an unequal way of proceeding towards Scotland, that had merited eminently at the king's hands ever since the year 1648, and suffered much for it, that the one kingdom should not have the same measure of grace and pardon that was granted in the other. The earl of Middleton answered, that all he desired was in favour of the loyal party in Scotland, who were undone by their adhering to the king: the revenue of the crown was too small, and too much charged, to repair their losses; so the king had no other way to be just to them, but to make their enemies pay for their rebellion. Some plausible limitations were offered to the fines to which any should be condemned, as that they should be only for offences committed since the year 1650, and that no man should be fined in above a year's rent of his estate. These were agreed to. So he had an instruction to pass an act of indemnity, with a power of fining restrained to these rules. There was one sir George Mackenzie, since made lord Tarbot and earl of Cromarty, a young man of great vivacity of parts, but full of ambition, and had the art to recommend himself to all sides and parties by turns, and has made a great figure in that country now above fifty years. He had great notions of virtue and religion, but they were only notions, at least they have not had great effect on himself at all times. He became now the earl of Middleton's chief favourite\*. Primrose was grown rich and cautious; and his maxim having always been, that, when he apprehended a change, he ought to lay in for it by courting the side that was depressed, that so in the next turn he might secure friends to himself, he began to think that the earl of Middleton went too fast to hold out long. He had often advised him to manage the business of restoring episcopacy in a slow progress. He had formed a scheme, by which it would have been the work of seven years: but the earl of Middleton's heat, and Sharp's vehemence, spoiled all his project. The earl of Middleton, after his own disgrace, said often to him, that his advices had been always wise and faithful; but he thought princes were more sensible of services, and more apt to reflect on them, and to reward them, than he found they were.

When the settlement of episcopacy was over, the next care was to prepare the act of indemnity. Some proposed that, besides the power of fining, they should move the king, that he would consent to an instruction, empowering them likewise to put some under an incapacity to hold any public trust. This had never been proposed in public; but the earl of Middleton pretended, that many of the best affected of the parliament had proposed it in private to himself. So he sent the lord Tarbot up to the king with two draughts of an act of indemnity, the one containing an exception of some persons to be fined, and the other containing likewise a clause for the incapacitating of some, not exceeding twelve, from all public trust. He was ordered to lay both before the king: the one was penned according to the earl of Middleton's instructions: the other was drawn at the desire of the parliament, for which he prayed an instruction, if the king thought fit to approve of it. The earl of Lauderdale had no apprehension of any design against himself in the motion; so he made no objection to it: and an instruction was drawn, empowering the earl of Middleton to pass an act with that clause. Tarbot was then much considered at court, as one of the most extraordinary men that Scotland had produced, and was the better liked, because he was looked on as the person that the earl of Middleton intended to set up in the earl of Lauderdale's room, who was then so much hated, that nothing could have preserved him but the course that was taken to ruin him. So lord Tarbot went back to Scotland. And the duke of Richmond and the earl of Newburgh went down with him, by whose wild and ungoverned extravagancies the earl of Middleton's whole conduct fell under an universal odium and so much contempt, that, as his own ill management forced the king to put an end to his ministry, so he could not have served there much longer with any reputation.

\* Whatever may have been the virtues or the religious sincerity of sir George Mackenzie, there is no doubt that he was a man of talent. At the Restoration he was made a senator of the college of justice, clerk of the privy council, and justice-general. James the Second raised him to the peerage as lord Tarbot; and queen Anne made him secre-

tary of state and earl of Cromarty. Notwithstanding his official employments, he found time for the indulgence of his literary taste. He was the author of two works on Scotch history, one relating to the Gowrie conspiracy, &c. He died in 1714, aged eighty-eight.—General Biog. Dict.



One instance of unusual severity was, that a letter of the lord Lorn's to the lord Duffus was intercepted, in which he did a little too plainly, but very truly, complain of the practices of his enemies in endeavouring to possess the king against him by many lies; but he said, he had now discovered them, and had defeated them, and had gained the person upon whom the chief among them depended. This was the earl of Clarendon, upon whom the earl of Berkshire had wrought so much, that he resolved to oppose his restoration no more: and for this the earl of Berkshire was to have a thousand pounds. This letter was carried into the parliament, and complained of as leasing-making; since lord Lorn pretended, he had discovered the lies of his enemies to the king, which was a sowing dissension between the king and his subjects, and the creating in the king an ill opinion of them. So the parliament desired, the king would send him down to be tried upon it. The king thought the letter very indiscreetly written, but could not see any thing in it that was criminal. Yet, in compliance with the desire of so zealous a parliament, lord Lorn was sent down upon his parole: but the king wrote positively to the earl of Middleton, not to proceed to the execution of any sentence that might pass upon him. Lord Lorn upon his appearance was made a prisoner; and an indictment was brought against him for leasing-making. He made no defence; but in a long speech he set out the great provocation he had been under, the many libels that had been printed against him: some of these had been put in the king's own hands, to represent him as unworthy of his grace and favour: so, after all that hard usage, it was no wonder, if he had written with some sharpness: but he protested, he meant no harm to any person; his design being only to preserve and save himself from the malice and lies of others, and not to make lies of any. In conclusion, he submitted to the justice of the parliament, and cast himself on the king's mercy. He was upon this condemned to die, as guilty of leasing-making: and the day of his execution was left to the earl of Middleton by the parliament\*.

I never knew any thing more generally cried out on than this was, unless it was the second sentence passed on him twenty years after this, which had more fatal effects, and a more tragical conclusion. He was certainly born to be the most signal instance in this age of the rigour, or rather of the mockery, of justice. All that was said at this time to excuse the proceeding was, that it was certain his life was in no danger. But since that depended on the king, it did not excuse those who passed so base a sentence, and left to posterity the precedent of a parliamentary judgment, by which any man may be condemned for a letter of common news. This was not all the fury with which this matter was driven: for an act was passed against all persons who should move the king for restoring the children of those who were attainted by parliament; which was an unheard of restraint on applications to the king for his grace and mercy. This the earl of Middleton also passed, though he had no instruction for it. There was no penalty put in the act, for it was a maxim of the pleaders for prerogative, that the fixing a punishment was a limitation on the crown: whereas an act forbidding any thing, though without a penalty, made the offenders criminal: and in that case they did reckon, that the punishment was arbitrary, only that it could not extend to life. A committee was next appointed for setting the fines: they proceeded without any regard to the rules the king had set them. The most obnoxious compounded secretly. No consideration was had either of men's crimes, or of their estates; no proofs were brought; enquiries were not so much as made; but as men were delated, they were marked down for such a fine; and all was transacted in a secret committee. When the list

\* It will elucidate the character of this amiable nobleman to sketch the chief incidents of his life previous to this period. Archibald Campbell, lord Lorn, was the eldest son of the earl of Argyle, whose unjustifiable execution was mentioned in a previous page, and which event his well intended efforts accelerated instead of preventing. When Charles the Second was invited to Scotland in 1650, to assume its crown, lord Lorn was appointed colonel of the king's foot-guards; and, at his own determined request, had his commission from the king, although all others were granted by the Scotch parliament. Clarendon says, that he was very strict in watching the king but this could

not have proceeded from any disloyal feeling, or wish, to annoy him; for in the "History of the King's Exile," he is acknowledged to have done all that he could to alleviate the rigid restraint imposed on his majesty by the presbyterian clergy. He fought with distinguished bravery at Dunbar and Worcester; and as Burnet mentions, elsewhere, kept up a party in the Highlands for the royal service. Cromwell excepted him out of his general pardon in 1654. —Thurloe's State Papers; Crawford's Lives of the Great Officers of Scotland; Memoirs of Scotch Affairs from the Restoration to the Revolution; Woodrow's Hist. of the Church of Scotland.

of the men and of their fines was read in parliament, exceptions were made to divers, particularly some who had been under age all the time of transgression, and others abroad ; but to every thing of that kind an answer was made, that there would come a proper time in which every man was to be heard in his own defence ; for the meaning of setting the fine was only this, that such persons should have no benefit by the act of indemnity, unless they paid the fine : therefore every one that could stand upon his innocence, and renounce the benefit of the indemnity, was thereby free from the fine, which was only his composition for the grace and pardon of the act. So all passed in that great hurry.

The other point concerning the incapacity was carried farther than was perhaps intended at first ; though the lord Tarbot assured me, he had from the beginning designed it. It was infused into all people, that the king was weary of the earl of Lauderdale, but that he could not decently throw him off, and that, therefore, the parliament must help him with a fair pretence for doing it. Yet others were very apprehensive, that the king could not approve of a parliament's falling upon a minister. So lord Tarbot proposed two expedients : the one was, that no person should be named, but that every member should do it by ballot, and should bring twelve names in a paper ; and that a secret committee of three of every estate should make the scrutiny ; and that they, without making any report to the parliament, should put those twelve names on whom the greater number fell in the act of incapacity, which was to be an act apart, and not made a clause of the act of indemnity. This was taken from the ostracism in Athens, and seemed the best method in an act of oblivion, in which all that was passed was to be forgotten : and no seeds of feuds would remain, when it was not so much as known against whom any one had voted. The other expedient was, that a clause should be put in the act, that it should have no force, and that the names in it should never be published, unless the king should approve of it. By this means it was hoped, that, if the king should dislike the whole thing, yet it would be easy to soften that, by letting him see how entirely the act was in his power. Emissaries were sent to every parliament man, directing him how to make his list, that so the earls of Lauderdale, Crawford, and sir Robert Murray, might be three of the number. This was managed so carefully, that by a great majority they were three of the incapacitated persons. The earl of Middleton passed the act, though he had no instruction about it in this form. The matter was so secretly carried, that it was not let out the day before it was done ; for they had reckoned their success in it was to depend on the secrecy of it, and in their carrying it to the king, before he should be possessed against it by the earl of Lauderdale, or his party. So they took great care to visit the packet, and to stop any that should go to court post : and all people were under such terror, that no courage was left. Only lord Lorn sent one on his own horses, who was to go on in cross roads, till he got into Yorkshire ; for they had secured every stage to Durham. By this means the earl of Lauderdale had the news three days before the duke of Richmond and lord Tarbot got to court. He carried it presently to the king, who could scarce believe it : but when he saw by the letters that it was certainly true, he assured the earl of Lauderdale that he would preserve him, and never suffer such a destructive precedent to pass. He said, he looked for no better upon the duke of Richmond's going to Scotland, and, his being perpetually drunk there. This mortified the earl of Lauderdale ; for it looked like the laying in an excuse for the earl of Middleton. From the king, by his orders, he went to the earl of Clarendon, and told all to him. He was amazed at it ; and said, that certainly he had some secret friend that had got into their confidence, and had persuaded them to do as they had done on design to ruin them : but, growing more serious, he added, he was sure the king on his own account would take care not to suffer such a thing to pass : otherwise no man could serve him : if way was given to such a method of proceeding, he himself would go out of his dominions as fast as his gout would suffer him.

Two days after this, the duke of Richmond and lord Tarbot came to court. They brought the act of incapacity sealed up, together with a letter from the parliament, magnifying the earl of Middleton's services, and another letter signed by ten of the bishops, setting forth his zeal for the church, and his care of them all ; and, in particular, they set out the design he was then on, of going round some of the worst affected counties to see the church established in them, as a work that was highly meritorious. At the same time he sent over the

earl of Newburgh to Ireland, to engage the duke of Ormond to represent to the king the good effects that they began to feel in that kingdom from the earl of Middleton's administration in Scotland, hoping the king would not discourage, much less change, so faithful a minister. The king received the duke of Richmond and lord Tarbot very coldly. When they delivered the act of incapacity to him, he assured them, it should never be opened by him; and said, their last actings were like madmen, or like men that were perpetually drunk. Lord Tarbot said, all was yet entire, and in his hands; the act being to live or to die as he pleased. He magnified the earl of Middleton's zeal in his service, and the loyal affections of his parliament, who had on this occasion consulted both the king's safety, and his honour: the incapacity act was only intended to put it out of the power of men, who had been formerly bad instruments, to be so any more: and even that was submitted by them to the king's judgment. The king heard them patiently, and without any farther discourse on the subject, dismissed them. So they hoped they had mollified him. But the earl of Lauderdale turned the matter upon the earl of Middleton and lord Tarbot, who had made the king believe that the parliament desired leave to incapacitate some, whereas no such desire had ever been made in parliament: and then, after the king, upon that misrepresentation, had given way to it, the parliament was made to believe, that the king desired, that some might be put under that censure; so that the abuse had been equally put on both. Honours went by ballot at Venice; but punishments had never gone so, since the ostracism at Athens, which was the factious practice of a jealous commonwealth, never to be set up as a precedent under a monarchy: even the Athenians were ashamed of it, when Aristides, the justest man among them, fell under the censure; and they laid it aside not long after.

The earl of Clarendon gave up the thing as inexcusable; but he studied to preserve the earl of Middleton. The change newly made in the church of Scotland had been managed by him with zeal and success: but though it was well begun, yet if these laws were not maintained by a vigorous execution, the presbyterians, who were quite dispirited by the steadiness of his conduct, would take heart again; especially if they saw the earl of Lauderdale grow upon him, whom they looked on as theirs in his heart: so he prayed the king to forgive one single fault, that came after so much merit. He also sent advices to the earl of Middleton to go on in his care of establishing the church, and to get the bishops to send up copious accounts of all that he had done. The king ordered him to come up, and to give him an account of the affairs in Scotland: but he represented the absolute necessity of seeing some of the laws lately made put in execution; for it was hoped, the king's displeasure would be allayed, and go off, if some time could be but gained.

One act passed in the last parliament that restored the rights of patronage, the taking away of which even presbytery could not carry till the year 1649, in which they had the parliament entirely in their hands. Then the election of ministers was put in the church session and the lay elders: so that, from that time all that had been admitted to churches came in without presentations. One clause in the act declared all these incumbents to be unlawful possessors: only it indemnified them for what was past, and required them before Michaelmas to take presentations from the patrons, who were obliged to give them being demanded, and to get themselves to be instituted by the bishops; otherwise their churches were declared vacant on Michaelmas day. This took in all the young and hot men: so the presbyterians had many meetings about it, in which they all resolved not to obey the act. They reckoned, the taking institution from a bishop was such an owning of his authority, that it was a renouncing of all their former principles: whereas some few that had a mind to hold their benefices, thought that was only a secular law that gave a legal right to their tithes and benefices, and had no relation to their spiritual concerns; and therefore they thought they might submit to it, especially where bishops were so moderate as to impose no subscription upon them, as the greater part were. But the resolution taken by the main body of the presbyterians was, to pay no obedience to any of the acts made in this session, and to look on, and see what the state would do. The earl of Middleton was naturally fierce, and that was heightened by the ill state of his affairs at court: so he resolved on a punctual execution of the law. He and all about him were at this time so constantly disordered, by high entertainments and other excesses, that, even in the short intervals between their drunken bouts, they were not cool nor calm enough to consider



what they were doing. He had also so mean an opinion of the party, that he believed they would comply with any thing rather than lose their benefices. And therefore he declared, he would execute the law in its utmost rigour. On the other hand, the heads of the presbyterians reckoned, that if great numbers were turned out all at once, it would not be possible to fill their places on the sudden ; and that the government would be forced to take them in again, if there were such a vacancy made, that a great part of the nation were left destitute, and had no divine service among them. For that which all the wiser of the party apprehended most was, that the bishops would go on slowly, and single out some that were more factious upon particular provocations, and turn them out by degrees, as they had men ready to put in their room ; which would have been more insensible, and more excusable, if indiscreet zealots had, as it were, forced censures from them. The advice sent over all the country, from their leaders who had settled measures in Edinburgh, was, that they should do and say nothing that might give a particular distaste, but should look on, and do their duty as long as they were connived at ; and that if any proclamation should be issued out, commanding them to be silent, they should all obey at once. In these measures both sides were deceived in their expectations. The bishops went to their several dioceses : and according as the people stood affected they were well or ill received : and they held their synods every where in October. In the northern parts very few stood out, but in the western parts scarce any came to them. The earl of Middleton went to Glasgow before Michaelmas. So when the time fixed by the act was passed, and that scarce any one in all those counties had paid any regard to it, he called a meeting of the privy council, that they might consider what was fit to be done. Duke Hamilton told me, that they were all so drunk that day, that they were not capable of considering any thing that was laid before them, and would hear of nothing but the executing the law without any relenting or delay. So a proclamation was issued out, requiring all who had their livings without presentations, and who had not obeyed the late act, to give over all farther preaching, or serving the cure, and to withdraw from their parishes immediately : and the military men that lay in the country were ordered to pull them out of their pulpits, if they should presume to go on in their functions. This was opposed only by duke Hamilton, and sir James Lockhart, father to sir William Lockhart. They represented, that the much greater part of the preachers in these counties had come into their churches since the year 1649 ; that they were very popular men, both esteemed and loved of their people : it would be a great scandal if they should be turned out, and none be ready to put in their places ; and it would not be possible to find a competent number of well qualified men, to fill the many vacancies that this proclamation would make. The earl of Middleton would hear of nothing, but the immediate execution of the law. So the proclamation was issued out : and upon it above two hundred churches were shut up in one day : and above one hundred and fifty more were to be turned out for not obeying, and submitting to the bishops' summons to their synods. All this was done without considering the consequence of it, or communicating it to the other bishops. Sharp said to myself, that he knew nothing of it ; nor did he imagine, that so rash a thing could have been done, till he saw it in print. He was glad that this was done without his having any share in it : for by it he was furnished with somewhat, in which he was no way concerned, upon which he might cast all the blame of all that followed. Yet this was suitable enough to a maxim that he and all that sort of people set up, that the execution of laws was that by which all governments maintained their strength, as well as their honour. The earl of Middleton was surprised at this extraordinary submission of the presbyterians. He had fancied, that the greatest part would have complied, and that some of the more intractable would have done some extraordinary thing, to have justified the severities he would have exercised in that case ; and was disappointed both ways. Yet this obedience of a party, so little accustomed to it, was much magnified at court. It was said, that all plied before him : they knew he was steady : so they saw how necessary it was not to change the management, if it was really intended to preserve the church. Lord Tarbot told me, that the king had expressed to himself the esteem he had for Sheldon, upon the account of the courage that he shewed in the debate concerning the execution of the act of uniformity at the day prefixed, which was St. Bartholomew's : for some suggested the danger that might arise, if the act were vigorously executed. From thence it seems the earl of

Middleton concluded, the zeal he shewed now would be so acceptable, that all former errors would be forgiven, if he went through with it; as indeed he stuck at nothing. Yet the clamour of putting several counties, as it were, under an interdict, was very great. So all endeavours were used to get as many as could be had to fill those vacancies. And among others I was much pressed, both by the earl of Glencairn and the lord Tarbot, to go into any of the vacant churches that I liked. I was then but nineteen: yet there is no law in Scotland limiting the age of a priest. And it was upon this account that I was let so far into the secret of all affairs: for they had such an imagination of some service I might do them, that they treated me with a very particular freedom and confidence. But I had imbibed the principles of moderation so early, that, though I was entirely episcopal, yet I would not engage with a body of men, that seemed to have the principles and tempers of inquisitors in them, and to have no regard to religion in any of their proceedings. So I stood upon my youth, and could not be brought on to go to the West; though the earl of Glencairn offered to carry me with him under his protection.

There was a sort of an invitation sent over the kingdom, like a hue and cry, to all persons to accept of benefices in the west. The livings were generally well endowed, and the parsonage houses were well built, and in good repair: and this drew many very worthless persons thither, who had little learning, less piety, and no sort of discretion. They came thither with great prejudices against them, and had many difficulties to wrestle with. The former incumbents, who were for the most part protestors, were a grave sort of people. Their spirits were eager, and their tempers sour: but they had an appearance that created respect. They were related to the chief families in the country, either by blood or marriage; and had lived in so decent a manner, that the gentry paid great respect to them. They used to visit their parishes much, and were so full of the scriptures, and so ready at extempore prayer, that from that they grew to practise extempore sermons: for the custom in Scotland was after dinner or supper to read a chapter in the scripture: and where they happened to come, if it was acceptable, they on the sudden expounded the chapter. They had brought the people to such a degree of knowledge, that cottagers and servants would have prayed extempore. I have often overheard them at it: and though there was a large mixture of odd stuff, yet I have been astonished to hear how copious and ready they were in it. The ministers generally brought them about them on the Sunday nights, where the sermons were talked over; and every one, women as well as men, were desired to speak their sense and their experience: and by these means they had a comprehension of matters of religion, greater than I have seen among people of that sort any where. The preachers went all in one track, of raising observations on points of doctrine out of their text, and proving these by reasons, and then of applying those, and shewing the use that was to be made of such a point of doctrine, both for instruction and terror, for exhortation and comfort, for trial of themselves upon it, and for furnishing them with proper directions and helps: and this was so methodical, that the people grew to follow a sermon quite through every branch of it. To this some added, the resolving of doubts concerning the state they were in, or their progress, or decay in it; which they called cases of conscience: and these were taken from what their people said to them at any time, very oft being under fits of melancholy, or vapours, or obstructions, which, though they flowed from natural causes, were looked on as the work of the spirit of God, and a particular exercise to them; and they fed this disease of weak minds too much. Thus they had laboured very diligently, though with a wrong method and wrong notions. But as they lived in great familiarity with their people, and used to pray and to talk oft with them in private, so it can hardly be imagined to what a degree they were loved and revered by them. They kept scandalous persons under a severe discipline: for breach of sabbath, for an oath, or the least disorder in drunkenness, persons were cited before the church session, that consisted of ten or twelve of the chief of the parish, who with the minister had this care upon them, and were solemnly reprov'd for it: for fornication they were not only reprov'd before these; but there was a high place in the church called the stool or pillar of repentance, where they sat at the times of worship for three Lord's days, receiving admonitions, and making profession of repentance on all those days; which some did with many tears, and serious exhortations to all the rest, to take warning by their fall;

for a lultery they were to sit six months in that place, covered with sackcloth. These things had a grave appearance. Their faults and defects were not so conspicuous. They had a very scanty measure of learning, and a narrow compass in it. They were little men, of a very indifferent size of capacity, and apt to fly out into great excess of passion and indiscretion. They were servile, and too apt to fawn upon, and flatter their admirers. They were affected in their deportment, and very apt to censure all who differed from them, and to believe and report whatsoever they heard to their prejudice. And they were superstitious and haughty. In their sermons they were apt to enlarge on the state of the present time, and to preach against the sins of princes and courts: a topic that naturally makes men popular. It has an appearance of courage: and the people are glad to hear those sins insisted on, in which they perceive they have no share, and to believe that the judgments of God come down by the means and procurement of other men's sins. But their opinions about the independence of the church and clergy on the civil power, and their readiness to stir up the people to tumults and wars, was that which begot so ill an opinion of them at this time in all men, that very few, who were not deeply engaged with them in these conceits, pitied them much under all the ill usage they now met with. I hope this is no impertinent nor ungrateful digression. It is a just and true account of these men and those times, from which a judicious reader will make good inferences. I will conclude this with a judicious answer that one of the wisest and best of them, Colvil, who succeeded Leighton in the headship of the college of Edinburgh, made to the earl of Middleton, when he pressed him in the point of defensive arms, to tell plainly his opinion, whether they were lawful or not. He said, the question had been often put to him, and he had always declined to answer it: but to him he plainly said, he wished that kings and their ministers would believe them lawful, and so govern as men that expect to be resisted; but he wished, that all their subjects would believe them to be unlawful, and so the world would be at quiet\*.

I do now return to end the account of the state of that country at this time. The people were much troubled, when so many of their ministers were turned out. Their ministers had, for some months before they were thus silenced, been infusing this into their people, both in public and private; that all that was designed, in this change of church government, was to destroy the power of godliness, and to give an impunity to vice; that prelacy was a tyranny in the church, set on by ambitious and covetous men, who aimed at nothing but authority and wealth, luxury and idleness; and that they intended to encourage vice, that they might procure to themselves a great party among the impious and immoral. The people thus prepossessed, seeing the earl of Middleton, and all the train that followed him through those counties, running into excesses of all sorts, and railing at the very appearance of virtue and sobriety, were confirmed in the belief of all that their ministers had told them. What they had heard concerning Sharp's betraying those that had employed him, and the other bishops, who had taken the covenant, and had forced it on others, and now preached against it, openly owning that they had in so doing gone against the express dictate of their own conscience, did very much heighten all their prejudices, and fixed them so in them, that it was scarce possible to conquer them afterwards. All this was out of measure increased by the new incumbents, who were put in the places of the ejected preachers, and were generally very mean and despicable in all respects. They were the worst preachers I ever heard: they were ignorant to a reproach; and many of them were openly vicious. They were a disgrace to their orders, and the sacred functions; and were indeed the dreg and refuse of the northern parts. Those of them who rose above contempt or scandal, were men of such violent tempers, that they were as much hated, as the others were despised. This was the fatal beginning of restoring episcopacy in Scotland, of which few of the bishops seemed to have any sense. Fairfoul, the most concerned, had none at all: for he fell into a paralytic state, in which he languished a year before he died. I have thus opened the first settlement in Scotland: of which I myself observed what was visible, and understood the most secret

\* This witty and just reply was made by Dr. Alexander Colvil. He wrote several works no longer in repute, except his "Scotch Hudibras," which is worth perusing as an exposure of the follies and vices of the period. He died in 1676.—General Biog. Dict.



transactions from those, who had such a share in them, that it was not possible for them to mistake them: and I had no reason to think they intended to deceive, or misinform me.

I will in the next place change the climate, and give as particular an account as I can of the settlement of England both in church and state: which, though it will be imperfect, and will in some parts be immethodical, yet I am well assured it will be found true; having picked it up at several times, from the earl of Lauderdale, sir Robert Murray, the earl of Shaftsbury, the earl of Clarendon, son of the lord chancellor, the lord Hollis, and sir Harbottle Grimstone, who was the speaker of the house of commons, under whose protection I lived nine years when I was preacher at the rolls, he being then master of the rolls. From such hands I could not be misled, when I laid all together, and considered what reason I had to make allowances for the different accounts that diversity of parties and interests may lead men to give, they too easily believing some things, and as easily rejecting others, as they stood affected.

After the king came over, no person in the house of commons had the courage to move the offering propositions, for any limitation of prerogative, or the defining of any doubtful points. All was joy and rapture. If the king had applied himself to business, and had pursued those designs which he studied to retrieve all the rest of his reign, when it was too late, he had probably in those first transports carried every thing that he would have desired, either as to revenue or power. But he was so given up to pleasure, that he devolved the management of all his affairs on the earl of Clarendon; who, as he had his breeding in the law, so he had all along declared himself for the ancient liberties of England, as well as for the rights of the crown. A domestic accident had happened to him, which heightened his zeal for the former. He, when he began to grow eminent in his profession, came down to see his aged father, a gentleman of Wiltshire: who one day as they were walking in the field together, told him, that men of his profession did often stretch law and prerogative, to the prejudice of the subject, to recommend and advance themselves: so he charged him, if ever he grew to any eminence in his profession, that he should never sacrifice the laws and liberties of his country to his own interests, or to the will of a prince. He repeated this twice: and immediately he fell into a fit of apoplexy, of which he died in a few hours. This the earl of Clarendon told the lady Ranelagh, who put him often in mind of it: and from her I had it.

He resolved not to stretch the prerogative beyond what it was before the wars, and would neither set aside the petition of right, nor endeavour to raise the courts of the star chamber or the high commission again, which could have been easily done, if he had set about it: nor did he think fit to move for the repeal of the act for triennial parliaments, till other matters were well settled. He took care indeed to have all the things that were extorted by the long parliament from king Charles the First repealed. And since the dispute of the power of the militia was the most important, and the most insisted on, he was very earnest to have that clearly determined for the future. But as to all the acts relating to property, or the just limitation of the prerogative, such as the matter of the ship-money, the tonnage and poundage, and the habeas corpus act, he did not touch on these. And as for the standing revenue, 1,200,000*l.* a year was all that was asked: and though it was much more than any of our kings had formerly, yet it was readily granted. It was believed, that if two millions had been asked, he could have carried it. But he had no mind to put the king out of the necessity of having recourse to his parliament. The king came afterwards to believe that he could have raised both his authority and revenue much higher, but that he had no mind to carry it farther, or to trust him too much. Whether all these things could have been got at that time, or not, is above my conjecture. But this I know, that all the earl of Clarendon's enemies after his fall said, these things had been easily obtained, if he had taken any pains in the matter, but that he himself had no mind to it: and they infused this into the king, so that he believed it, and hated him mortally on that account. And in his difficulties, afterwards, he said often, all those things might have been prevented, if the earl of Clarendon had been true to him.

The king had not been many days at Whitehall, when one Venner, a violent fifth-monarchy man, who thought it was not enough to believe that Christ was to reign on earth, and to put the saints in the possession of the kingdom, (an opinion that they were all

unspeakably fond of,) but added to this, that the saints were to take the kingdom themselves, he gathered some of the most furious of the party to a meeting in Coleman-street \*. There they concerted the day and the manner of their rising to set Christ on his throne, as they called it. But withal they meant to manage the government in his name; and were so formal, that they had prepared standards and colours with their devices on them, and furnished with very good arms. But when the day came, there was but a small appearance, not exceeding twenty. However they resolved to venture out into the streets, and cry out, "No king but Christ." Some of them seemed persuaded that Christ would come down, and head them. They scoured the streets before them, and made a great progress. Some were afraid, and all were amazed at this piece of extravagance. They killed a great many, but were at last mastered by numbers: and were all either killed, or taken and executed. Upon this some troops of guards were raised. And there was a great talk of a design, as soon as the army was disbanded, to raise a force that should be so chosen and modelled that the king might depend upon it; and that it should be so considerable, that there might be no reason to apprehend new tumults any more. The earl of Southampton looked on a while: and, when he saw how this design seemed to be entertained and magnified, he entered into a very free expostulation with the earl of Clarendon about it. He said, they had felt the effects of a military government, though sober and religious, in Cromwell's army: he believed vicious and dissolute troops would be much worse: the king would grow fond of them: and they would quickly become insolent and ungovernable: and then such men as he was must be only instruments to serve their ends. He said, he would not look on, and see the ruin of his country begun, and be silent: a white staff should not bribe him. The earl of Clarendon was persuaded he was in the right, and promised he would divert the king from any other force, than what might be decent to make a shew with, and what might serve to disperse unruly multitudes. The earl of Southampton said, if it went no farther, he could bear it; but it would not be easy to fix such a number, as would please our princes, and not give jealousy. The earl of Clarendon persuaded the king that it was necessary for him to carry himself with great caution, till the old army should be disbanded: for, if an ill humour got among them, they knew both their courage and their principles, which the present times had for a while a little suppressed: yet upon any just jealousy there might be great cause to fear new and more violent disorders. By these means the king was so wrought on, that there was no great occasion given for jealousy. The army was to be disbanded, but in such a manner, with so much respect, and so exact an account of arrears, and such gratuities, that it looked rather to be the dismissing them to the next opportunity, and a reserving them till there should be occasion for their service, than a breaking of them. They were certainly the bravest, the best disciplined, and the soberest army that had ever been known in these latter ages: every soldier was able to do the functions of an officer. The court was in great quiet, when they got rid of such a burden, as lay on them from the fear of such a body of men. The guards, and the new troops that were raised, were made up of such of the army as Monk recommended, and answered for†, and with that his great interest at court came to a stand. He was little considered afterwards.

In one thing the temper of the nation appeared to be contrary to severe proceedings: for, though the regicides were at that time odious beyond all expression, and the trials and executions of the first that suffered were run to by vast crowds, and all people seemed pleased with the sight, yet the odiousness of the crime grew at last to be so much flattened by the frequent executions, and by most of those who suffered, dying with much firmness and shew

\* Thomas Venner was a wine-cooper in affluent circumstances, having credit for good sense and piety, until he bewildered himself with the vain attempt to interpret the unfulfilled prophecies. He acquired the illusory opinions of the fifth monarchy men, or millennarians, and believed that all human government was to cease, and that Christ and the saints were about to commence a reign that was to endure for a thousand years. He considered Cromwell and Charles the second as usurpers upon this reign. To depose the latter he embarked in the mad enterprise, mentioned in the text. He was executed with twelve of

his followers in the January of 1601. They blasphemously affirmed upon the scaffold that "if they were deceived, the Lord himself was their deceiver." This delusion continues to affect many minds; and has shewn itself in many fantastic forms.—Grainger's Biograph. Hist. vi. 10. Smollet's Hist. of England.

† The number of troops retained by Charles the Second was about 5,000. James the Second increased the amount to 30,000. The present standing army of England is more than 100,000.

of piety, justifying all they had done, not without a seeming joy for their suffering on that account, that the king was advised not to proceed farther, at least not to have the scene so near the court as Charing-cross. It was indeed remarkable that Peters, a sort of an enthusiastical buffoon preacher, though a very vicious man, who had been of great use to Cromwell, and had been outrageous in pressing the king's death with the cruelty and rudeness of an inquisitor, was the man of them all that was the most sunk in his spirit, and could not in any sort bear his punishment. He had neither the honesty to repent of it, nor the strength of mind to suffer for it as all the rest of them did. He was observed all the while to be drinking some cordial liquors to keep him from fainting\*. Harrison was the first that suffered. He was a fierce and bloody enthusiast. And it was believed, that while the army was in doubt, whether it was fitter to kill the king privately, or to bring him to an open trial, that he offered, if a private way was settled on, to be the man that should do it. So he was begun with. But, however reasonable this might be in itself, it had a very ill effect, for he was a man of great heat and resolution, fixed in his principles, and so persuaded of them, that he never looked after any interests of his own, but had opposed Cromwell when he set up for himself. He went through all the indignities and severities of his execution, in which the letter of the law in cases of treason was punctually observed, with a calmness or rather a cheerfulness, that astonished the spectators. He spoke very positively, that what they had done was the work of God, which he was confident God would own and raise up again, how much soever it suffered at that time. Upon this a report was spread, and generally believed, that he said, he himself should rise again: though the party denied that, and reported the words as I have set them down†. One person escaped, as was reported, merely by his vices: Henry Martin, who had been a most violent enemy to monarchy. But all that he moved for, was upon Roman or Greek principles. He never entered into matters of religion, but on design to laugh both at them and all morality; for he was both an impious and vicious man. And now in his imprisonment he delivered himself up to vice and

\* Mr. Hugh Peters was the son of a merchant at Fowey in Cornwall. He took his degree of master of arts at Trinity College, Cambridge, in 1622. One authority says he was expelled from Jesus' College for irregularity. It is certain that at one time he was a comedian, but left the stage and took orders. He was ordained by Dr. Mountaine, bishop of London, and lectured for some considerable time in the church of St. Sepulchre. Detected in intriguing with a married lady, he fled to Rotterdam, and was associated with the learned Dr. Aines as preacher there at the English church. From thence he went to America, and resided there about seven years. Upon his return to England, he was a most vehement partisan against the king, not only preaching against his authority, but bearing arms against him. When the king was in London, Mr. Peters was his gaoler; when his trial was proceeding, Mr. Peters directed the soldiers to clamour for justice; but it is doubtful whether he was out of his room when the king was executed, although one witness at his trial gave evidence to raise a suspicion that he even assisted to execute the king. Dr. Burnet's statement of the conduct of Mr. Peters at the time of his own execution, appears to have been derived from an incorrect authority. The narrative in the State Trials shews him to have died firmly and resignedly, although the conduct of the executioners and others was brutal in the extreme. He bent a piece of gold and sent it to his daughter with a consolatory message by a friend in the crowd whom he recognised; ascended the ladder without difficulty, and passed out of life without any symptom of fear. This was on the 16th of October 1660. The most authentic narrative of his life is in a work by himself, entitled "A Dying Father's Last Legacy, &c., or Hugh Peters' Advice to his Daughter." See also his Life by Harris and by Dr. Young; Price's Mystery and Memoir of his Majesty's Happy Restoration, &c., and State Trials, ii. There are several amusing illustrations of the pedantic

cant and ridiculous verbiage of Mr. Peters and his sect, in Grainger's Blog. History, iii. 343.

† Major general Thomas Harrison, according to Clarendon, "was the son of a butcher\* near Nantwich in Cheshire, and had been bred up in the place of a clerk under a lawyer of good account in those parts; which kind of education introduces men into the language and practice of business, and, if it be not resisted by the great ingenuity of the person, inclines young men to more pride than any other kind of breeding, and disposes them to be pragmatical and insolent, though they have the skill to conceal it from their masters, except they find them (as they are too often) inclined to cherish it. When the Rebellion first began, this man quitted his master, (who had relation to the king's service, and discharged his duty faithfully), and put himself into the parliament army, where, having first obtained the office of cornet, he got up by diligence and sobriety, to the state of a captain, without any signal notice taken of him, till the new model of the army; when Cromwell, who possibly had notice of him before, found him of a spirit and disposition fit for his service, much given to prayer and preaching, and otherwise of an understanding fit to be trusted in any business; to which his clerkship contributed very much; and then he was preferred very fast; so that by the time the king was brought to the army, he had been a colonel of horse, and looked upon as inferior to few, after Cromwell and Ireton, in the council of officers, and in the government of the agitators; and there were few men with whom Cromwell more communicated, or upon whom he more depended for the conduct of anything committed to him."—Hist. of Rebellion, iii. 190. An account of his trial, and the enthusiastic manner in which he met death, is stated fully in the second volume of the State Trials.

\* Other authorities say he was an opulent grazier.



blasphemy. It was said, that this helped him to many friends, that upon that very account he was spared\*. John Goodwin and Milton did also escape all censure, to the surprise of all people. Goodwin had so often not only justified, but magnified the putting the king to death, both in his sermons and books, that few thought he could have been either forgotten or excused: for Peters and he were the only preachers that spoke of it in that strain. But Goodwin had been so zealous an arminian, and had sown such division among all the sectaries upon these heads, that it was said this procured him friends. Upon what account soever it was, he was not censured†. Milton had appeared so boldly, though with much wit, and great purity and elegance of style, against Salmasius and others, upon that argument of putting the king to death, and had discovered such violence against the late king and all the royal family, and against monarchy, that it was thought a strange omission if he was forgotten, and an odd strain of clemency, if it was intended he should be forgiven. He was not excepted out of the act of indemnity. And afterwards he came out of his concealment, and lived many years much visited by all strangers, and much admired by all at home for the poems he wrote, though he was then blind; chiefly that of *Paradise Lost*, in which there is a nobleness both of contrivance and execution, that, though he affected to write in blank verse without rhyme, and made many new and rough words, yet it was esteemed the most beautiful, and the most perfect poem that ever was written at least in our language‡.

But as the sparing these persons was much censured, so on the other hand the putting sir Henry Vane to death was as much blamed: for the declaration from Breda being full for an indemnity to all, except the regicides, he was comprehended in that; since, though he was for changing the government, and deposing the king, yet he did not approve of the putting him to death, nor of the force put on the parliament, but did for some time, while these things were acted, withdraw from the scene. This was so represented by his friends, that an address was made by both houses on his behalf, to which the king gave a favourable answer, though in general words. So he reckoned that he was safe, that being equivalent to an act of parliament, though it wanted the necessary forms. Yet the great share he had in the attainder of the earl of Strafford, and in the whole turn of affairs to the total change of government, but above all the great opinion that was had of his parts and capacity to embroil

\* Henry Marten, or as he was usually called Harry Martin, was the son of sir Henry Marten, and a native of Oxford. He took his degree of bachelor in arts, and afterwards became a member of one of the Inns of Court; travelled upon the continent; and upon his return married a rich wife. Notwithstanding these advantages, the principles, or rather the inclinations of Marten were too licentious to be quietly happy. In politics he was an extravagant republican. He told Clarendon "that he thought no one man wise enough to govern a nation;" and in all his speeches, writings, and efforts, he was a consistent leveller—aiming at the reduction of all nobles and gentlemen to one common level of wealth and station. In his morals he was as profligate, for in print he advocated the community of women; and acting up to his opinion was a martyr for it, and was the cause of his wife participating in the suffering penalty. He sat as one of the king's judges; signed the warrant for the king's execution; scoffed at and sold the insignia of royalty; but consistently opposed Cromwell when he was assuming the single supremacy. Many circumstances conjoined to save his life; he pleaded that he had surrendered, relying upon the promises in the king's proclamation; he had been the boon companion of many now in authority; and it was found that the intrepidity with which the executed regicides had endured their exasperated sufferings, won to their cause the public sympathy. Notwithstanding, an act of parliament was introduced, and even read a second time in the House of Commons for his execution, and that of eighteen others, and was then reluctantly dropped. It should be remarked, that this was a proceeding, after a year had elapsed, of the parliament disgracefully designated as "the pensioned." His life was spared at the ex-

pense of a forfeiture of all his property and his liberty. For twenty years he was a close and miserable prisoner in Chepstow Castle. He died there suddenly in 1680, aged seventy-eight. One part of the ruins of Chepstow Castle is still known as Marten's Tower. He was buried at Chepstow Church in the chancel, but a late incumbent, more prejudiced than discreet or charitable, removed his monument into the body of the church, because this record of a rebel ought not to stand near the altar!—Bloomfield's *Banks of the Wye*, 65.—Wood's *Athenæ Oxon.* ii. 659.—Clarendon's *Autobiography*, and *Hist. of the Rebellion*—*Parliamentary History*—Walker's *History of Independency*.

† John Goodwin was a fellow of Queen's College, Cambridge. In 1633, he was vicar of St. Stephen's parish, Coleman Street, from which he was ejected in 1645, for refusing to administer baptism and the Lord's supper promiscuously. He died in 1665, aged seventy-two. He seemed to be so far from agreeing with any sect entirely, that he was known by the soubriquet of "the Ishmael of Coleman Street—being a man by himself—was against every man, and had every man almost against him." There is no doubt that his having caused dissensions among the opponents of Charles the Second, saved his life, for in the Healing Parliament this plea was urged in his favour.—Wood's *Athenæ Oxon.* ii. 502, &c.—Calamy's *Baxter and his Times*.

‡ The life of Milton is believed to have been spared through the exertions for that purpose made by sir William Davenant, the dramatist, who had been indebted for a like favour to Milton at the time monarchy was abolished.

matters again, made the court think it necessary to put him out of the way. He was naturally a very fearful man: this one who knew him well told me, and gave me eminent instances of it. He had a head as darkened in his notions of religion, as his mind was clouded with fear: for though he set up a form of a religion in a way of his own, yet it consisted rather in a withdrawing from all other forms, than in any new or particular opinions or forms; from which he and his party were called seekers, and seemed to wait for some new and clearer manifestations. In these meetings he preached and prayed often himself, but with so peculiar a darkness, that though I have sometimes taken pains to see if I could find out his meaning in his words, yet I could never reach it. And since many others have said the same, it may be reasonable to believe he hid somewhat that was a necessary key to the rest. His friends told me, he leaned to Origen's notion of an universal salvation of all, both of devils and the damned, and to the doctrine of pre-existence. When he saw his death was designed, he composed himself to it, with a resolution that surprised all who knew how little of that was natural to him. Some instances of this were very extraordinary, though they cannot be mentioned with decency\*. He was beheaded on Tower Hill, where a new and very indecent practice was begun. It was observed that the dying speeches of the regicides had left impressions on the hearers, that were not at all to the advantage of the government. So strains of a peculiar nature being expected from him, to prevent that, drummers were placed under the scaffold, who as soon as he began to speak to the public, upon a sign given, struck up with their drums. This put him in no disorder. He desired they might be stopped, for he understood what was meant by it. Then he went through his devotions. And, as he was taking leave of those about him, he happened to say somewhat with relation to the times, the drums struck up a second time: so he gave over, and died with so much composedness, that it was generally thought, the government had lost more than it had gained by his death†.

The act of indemnity passed with very few exceptions, at which the cavaliers were highly dissatisfied, and made great complaints of it. In the disposal of offices and places, as it was not possible to gratify all, so there was little regard had to men's merits or services. The king was determined to most of these by the cabal that met at Mistress Palmer's lodgings: and though the earl of Clarendon did often prevail with the king to alter the resolutions

\* This alludes to the acknowledged fact, that his wife became pregnant by him the very night before his execution. This enabled the earl of Dorset to say of him very wittily, and severely if in earnest, that he believed his father begat him *after* his head was off.—Oxford edition of Burnet's History.

† Sir Henry Vane, the younger, is confessed even by Clarendon to have been distinguished for great natural talents, ready wit, and prompt powerful eloquence. He was an uncompromising advocate of the principle, that all power is delegated from, and for the benefit of the people. This was an unpardonable crime in the estimation of a Stuart, and was the undoubted cause of his execution. Charles the Second alluded to it in a letter to Clarendon, and used these words of blood—"Certainly he is too dangerous a man to let live, if we can honestly put him out of the way." He matriculated at Magdalene Hall, Oxford, but at the very outset declining to take the oaths of allegiance and supremacy, he studied as a private pupil of the master. Laud, then bishop of London, undertook his conversion, but he escaped from this annoyance to America, and was chosen governor by the men of New England; but disagreeing in various ways with those under his rule, he returned home in 1639, served in parliament, and as treasurer of the navy. He sided with the parliament in the contest with Charles the First; and similarly opposed the two Cromwells. In whatever station he acted as a politician, he is universally acknowledged to have evinced the greatest sagacity. He was one of the council of state, and for a time acted as its president. Upon the Restoration, although excepted at the request of the parliament out of the Breda declaration, yet as he had

not been one of the king's judges, the House of Lords and Commons afterwards maintained that he was within the act of indemnity. The chancellor assured the parliament, that although the court considered him a very active, mischievous individual, and it would be necessary to keep a rod over him, yet if they petitioned the king, his life should be spared, even though attainted. Both houses petitioned to that effect, consequently his life might be considered secure. But the next, or Pensioned Parliament passed an order excepting him from the act of indemnity, and three weeks afterwards the attorney general was ordered to proceed with his prosecution. This breach of faith needs no comment; it is sufficient to remember that it was done by a Stuart, and our surprise will then cease. The account of his trial, and of his conduct at the place of execution, was a murder under a legal form. He beat his opponents in argument, and is said to have extorted from Mr. Kel- yng, one of the king's counsel, the disgraceful remark, that "though they did not know what to say to him, they knew what to do with him." His conduct and his address whilst upon the scaffold were becomingly firm and excellent. When his neck was upon the block, he in his last words petitioned God to sustain him in this last struggle to glorify Him in the discharge of his duty to Him and his country; words that may be admitted as an attestation of his sincerity in the life that was then ending.—*State Trials*, ii. 459.—*Clarendon's History of the Rebellion*, i.—*Wood's Athenæ Oxon* ii. 291.—*Birch's Lives*. Like most other religious enthusiasts he had peculiar notions which were adopted by many, forming a sect called the *Vanists*. Their peculiar tenets may be seen in the various tracts he published, and in *Calamy's Life of Baxter*.

taken there, yet he was forced to let a great deal go that he did not like. He would never make applications to Mistress Palmer, nor let any thing pass the seal in which she was named, as the earl of Southampton would never suffer her name to be in the treasury books. Those virtuous ministers thought it became them to let the world see that they did not comply with the king in his vices<sup>\*</sup>: but whether the earl of Clarendon spoke so freely to

<sup>\*</sup> As notice was made at p. 61 of the profligacy and licentiousness of Charles the Second, wickedness that was gloried in rather than concealed; how naturally this tended to deprave the public morals every one is a judge, because all know the influence upon society in general of the example of its higher classes. All historians bear confirming testimony to Roger Coke's assertion, that "king Charles left the nation more vitiated and debauched in its manners than ever it was by any other king."—*Detection of Court*, &c. ii. 320. There were other most injurious consequences arising from the profligacy of the king. His numerous offspring by his various concubines were made the instruments of bringing the peerage to which they were raised into contempt, and to make the people disgusted at the injustice of marking a commoner's bastards with infamy, and a monarch's with patent honours. It was one of these ennobled children, the duke of Monmouth, that involved England in a civil war, and brought the stain of some of its worthiest blood upon the scaffold.

Many of the acts of Charles's mistresses will be mentioned in future pages; therefore a slight biography, and a few anecdotes relative to the seven chief of these votaries of Venus, will enable the reader to judge of those who will hereafter be mentioned.

1. Mrs. Palmer, mentioned in the text, was Barbara Villiers, heiress of William, Viscount Grandison. She was married to Mr. Palmer, who was in vain created earl of Castlemaine, in the hope that it would bribe him to consent to his own dishonour. He separated from his licentious wife, and, in open contempt of our national honours and of moral feeling, she was immediately created Baroness Nonsuch, (which title might apply to her viciousness as well as her beauty,) countess of Southampton, and duchess of Cleveland. The earl of Dartmouth confirms the statement that the king slept with Barbara Villiers the first night after he came to London. She was then pregnant with the child that afterwards was countess of Sussex. The earl says, that though her husband believed it to be his child, yet she was always supposed to be the offspring of the old earl of Chesterfield.—*Oxford Ed. of Burnet's Hist.* She had six children, of which the king considered himself the father<sup>1</sup>. She died in 1709<sup>2</sup>. Who introduced this lady to the king's notice does not appear; but he showed his gratitude to God, and his fitness

<sup>1</sup> Charles Fitzroy, born in 1662; created, when only thirteen years old, duke of Southampton, and, after the decease of his mother, duke of Cleveland. 2. Henry Fitzroy, born in 1663, and raised to the peerage as duke of Grafton. 3. George Fitzroy, born in 1665, and made duke of Norfolk. 4. Anne Fitzroy, born in 1661, and married when thirteen, to Thomas Lemon, earl of Sussex. 5. Charlotte Fitzroy, born in 1664, and married, when little more than twelve, to sir Edward Henry Lee, earl of Lichfield. 6. Barbara, born in 1672, who took the veil at Pontoise, in France.—*Rapin's Hist. of England*, by Tindal, ii. 740.

<sup>2</sup> She had married, some years before this event, Mr. Robert Fielding, known as "Handsome Fielding." He treated her with insolence and brutality. She prosecuted him for bigamy, but he was pardoned by queen Anne. His trial, which is worth reading, is in print. He is the Orlando of "the Tatler."—*Memoirs of Mrs. Manley*; Granger's Biographical Hist.

for the post of guardian of the laws, by beginning his criminal intimacy with her the very night after his restoration.—*Secret Hist. of the Reign of Charles the Second*, i. 446.

It was hoped that, after his marriage to the princess of Portugal in 1662, he would become less infatuated in this attachment; but the influence of the duchess was observed rather to increase than diminish after that event.

The queen was predetermined never to receive her rival in the king's affections at court; but Charles, having formed a contrary resolve, had the insulting cruelty to lead her into the queen's chamber a day or two after her arrival at Hampton-court. Her majesty, though youthful, succeeded in restraining the just expressions of her indignation, and received her with the courtesy she had shewn to the others of the nobility who were presented; but, as soon as she sat down, nature broke from restraint, blood gushed from her nose, and, though relieved by this and a flood of tears, she fainted, and the court immediately broke up. Instead of subduing him with shame and regret, this painful occurrence merely roused his indignation; and from that period he treated her majesty even in public with indifference and indignity, letting her pass without notice, whilst he was engaged in conversation with the duchess. By degrees the queen's spirit was subdued, and her mind, never very powerful, at length was taught not to revolt at receiving her into constant attendance as a lady of her bedchamber, and to be familiar and merry with her even in public.

To oppose or to establish the influence of the duchess in superiority over that of the queen, had employed the intriguing sagacity, the personal influence, and the best arts of persuasion, of the two parties, that then divided the statesmen of this country, and have almost ever since been known as the *Whigs* and *Tories*.

Clarendon, then lord chancellor, was at the head of the first-named party at this time. He and his friends used their utmost efforts to dissuade the king from pursuing his intention, and warned him of the consequences, by representing the impolicy as well as the sinfulness of such conduct. On the other hand, the earls of Bristol, Rochester, and others equally ambitious and profligate, who were leaders of the Tory party, and feared that their opponents would be immovably strengthened if the queen could influence her husband, for she was very friendly to the chancellor, paid their court to the duchess of Cleveland, and were strenuous to increase towards her the king's attachment. They ridiculed all scruples suggested by religion, and found in the king an assenting auditor when they suggested that it was absurd to suppose we ought not to give way to desires given us by nature; for Charles once told Dr. Burnet that "he could not think God would make a man miserable only for taking a little pleasure out of the way." They suggested it as being forbidden by manly pride to yield the point to a woman infected with all the caprice and jealousy natural to her countrywomen. And they appealed to another passion, of which he was still more the slave, when they remarked, that having won the heart of a noble, young, and beautiful woman, whose father had died whilst fighting in defence of the crown; a woman who had sacrificed every thing to preserve his love; it would indeed be base to leave her who had now no happiness, no retreat from the scorn of the world but that afforded by his tenderness and protecti..u.



the king about his course of life, as was given out, I cannot tell. When the cavaliers saw they had not that share in places that they expected, they complained of it so highly, that

Unfortunately these representations were certain to prevail, for they were in unison with his majesty's desires, and the unblushing avowal of his fixed resolve in this affair was conveyed in these words by letter to the lord chancellor, who had absented himself from court, as the last means in his power of expressing his repugnance to the proceeding. The words are Charles's own :

"I wish I may be unhappy in this world, and in the world to come, if I fail in the least degree of what I have resolved; which is, of making my lady Castlemaine of my wife's bedchamber: and whosoever I find use any endeavours to hinder this resolution of mine, except it be only to myself, I will be his enemy to the last moment of my life. You know how true a friend I have been to you: if you will oblige me eternally, make this business as easy to me as you can, what opinion soever you are of; for I am resolved to go through this matter, let what will come on it, which again I swear before Almighty God; therefore, if you desire to have the continuance of my friendship, meddle no more with this business, except it be to beat down all false and scandalous reports, and to facilitate what I am sure my honour is so much concerned in; and whosoever I find to be my lady Castlemaine's enemy in the matter, I do promise, upon my word, to be his enemy as long as I live."—*Secret Hist. of Charles the Second*, i. 449. This letter commences and concludes with a command to the chancellor to give this information to his friends. To read this unconnected with the details of the history, no one would conceive that so much fervour, so much rancour, and so much blasphemy, could be employed by "a praying king," in order to effect the insulting intrusion of his strumpet into an attendance upon his unwilling wife.

2 Lucy Walters, who assumed the name of Barlow, was the daughter of Richard Walters, esq., a gentleman of Wales. She was handsome, and, it appears, travelled to the Hague when Charles was first there, for the sole purpose of becoming his mistress. In which design Charles was not at all likely to disappoint her. She lived for some years in this intimacy, but having lost his affection, she was left at Paris, under the care of a clergyman, described by Kennet as "late master of the Charter-house," who said she led but an ill life, and who finally buried her at that city.

The princess of Orange, writing to Charles, concerning Lucy Walters, makes this excuse for her intriguing with other men, an excuse that does more disservice to her royal highness's character than it extenuates the other offender. "'Tis a frailty, they say, is given to the sex; therefore you will pardon her, I hope." Lucy Walters gave birth to a boy, at Rotterdam, in April, 1649, but she would not consent to consign him to the care of the king for education. However, upon her death, lord Crofts took charge of him. He grew up extremely handsome, and readily acquired those accomplishments in which then consisted almost the whole of a French gentleman's education. The queen dowager had frequently seen him; and, in 1662, by the king's desire, brought him with her into England. The king received him with, and always continued towards him, great fondness, gave him a liberal allowance, but neglected his mental cultivation.

The countess of Wemyss, by the duke of Buccleugh, her first husband, had one child, a daughter, who was the heiress of his great estates, and at this time about ten or twelve years old. General Monk was believed to have desired this prize for his son, but, upon the earl of Lauderdale's suggestion that she was fitting for the king's young protégé, the general, like a wise courtier, supported that

proposition. Under the direction of the earl, a contract was drawn up, to be ratified by an act of the Scotch parliament, as both the parties were under age, stipulating that her estate in case of her death, or failure of issue, should devolve upon her affianced husband and his heirs for ever.

Hitherto the affair had been confided solely to the knowledge of the parties immediately concerned, but as it now became necessary to give the youth a name, and as it was intended to confer upon him an English peerage, the king shewed the marriage contract to the lord chancellor. Clarendon, after perusing it, expressed his dislike without reserve, not of the match, but of the young man's being described as the king's natural son, and then an English title annexed to him, "which," he said, "would have an ill sound in England with all his majesty's subjects, who thought that those unlawful acts ought to be concealed, and not published and justified<sup>1</sup>." To this just observation no attention was paid, and the illegitimacy was thus announced and honoured of him who is known in our history as the popular, the unfortunate duke of Monmouth. At a subsequent period, when it was considered desirable by a very numerous minority of statesmen to exclude the duke of York from succeeding to the throne, it was endeavoured to be proved that Charles was married to Lucy Walters, and that the duke of Monmouth was consequently legitimate, and the right heir to the crown. The rumour of this is said to have originated with the earl of Shaftesbury, who intimated that the marriage contract was in a black box, consigned by the bishop of Durham to the custody of sir Gilbert Gerard.—*Ralph's Hist. of England*. In contradiction of this, the last-named gentleman deposed, upon oath, "that he never had any such writing committed to his charge, nor did he ever see or know of such writing:" and the king himself had entered in the council register, and signed by sixteen privy councillors, "that to avoid any dispute which might happen in time to come, concerning the succession to the crown, he did declare, in the presence of Almighty God, that he never gave, nor made any contract of marriage, nor was married to Mrs. Barlow, *alias* Walters, the duke of Monmouth's mother, nor to any other woman whatsoever, but to his present wife, queen Katherine, then living<sup>2</sup>."—*Sandford*.—*Kennet*.—*Echard*.

This is quite sufficient to satisfy a reasonable mind that the duke of Monmouth was not legitimate son, fond as Charles was of him, and detesting as he did the queen, there is little doubt that he would have rejoiced to pursue a course that would have forwarded the interests of the one, and have released him from the other.

It is true that the princess of Orange, in writing to her brother concerning Lucy Walters, repeatedly names her as his wife, but, considering the lax delicacy of that age, this is no evidence of her being so legally; more especially as in one of those letters her royal highness pleads for her being excused for intriguing with other men.—*Clarendon's Hist. of Rebellion*.—*Secret Hist. of the Reign of Charles the Second*, i. 451. Clarendon describes her as a most licentious woman, and that she died of a disease usual to those who lead the life she pursued.

3. *Elizabeth Killigrew*, daughter of sir William Killigrew. This gentleman had been the faithful servant of

<sup>1</sup> *Secret Hist. of the Reign of Charles the Second*, i. 455.

<sup>2</sup> This record of kingly virtue was not confined to the council-book. It was published in the *London Gazette*!—*Malcolm's Anecdotes of London* i. 341.

the earl of Clarendon, to excuse the king's passing them by, was apt to beat down the value they set on their services. This laid the foundation of an implacable hatred in many of them, that was completed by the extent and comprehensiveness of the act of indemnity, which cut off their hopes of being reimbursed out of the fines, if not the confiscations of those, who had during the course of the wars been on the parliament's side. It is true, the first parliament, called, by way of derogation, the convention, had been too much on that side not to secure themselves and their friends: so they took care to have the most com-

the king's father for many years, and his biographers have mentioned his appointment to the office of gentleman usher of the privy chamber, and subsequently to that of principal vice-chamberlain to the queen, as instances of the king's occasional remembrance of services: but they, of course, were ignorant when they uttered this praise, that his daughter was the king's mistress, a merit that did not particularly qualify him, one would think, to be in close attendance upon the queen.

Elizabeth Killigrew had her infancy rendered more conspicuous by being created viscountess Shannon. Her daughter, Charlotte Jennima Henrietta Maria Fitzroy, had two husbands, James Howard, esq., and sir William Paston, earl of Yarmouth.—Tindal's *Rapin's Hist.* of England, ii. 740.

Thomas Killigrew, usually termed, from his wit, and the license permitted him by Charles, the *king's jester*, was uncle to that monarch's mistress. A jester is not to be confounded with the *motley-fool* of previous centuries. This Killigrew, and his brother sir William, were men of considerable literary attainments, and the authors of several works, chiefly dramas.

4. *Catherine Peg*. This royal mistress was the daughter of Thomas Peg, esq., of the county of Derby. She had one child by the king, Charles Fitz-Charles, born in 1658. He was created earl of Plymouth, and was killed in 1680, before Tangier. His widow, Bridget, daughter of sir Thomas Osborne, duke of Leeds, (or of lord-treasurer Danby, according to Grainger,) afterwards married Dr. Biss, bishop of Hereford.—Tindal's *Rapin's Hist.* ii. 740.

Catherine Peg is sometimes called Green, having married sir Edward Green, an Essex baronet.—Wood's *Faeti Oxon.* ii. 153, where there is an account of eleven of Charles's illegitimate children.

5. *Eleanor*, or more properly known as *Nell Gwyn*, was originally a vender of fruit at the theatres. She was formed by nature for a comedian, being very vivacious, and of a well-moulded form, though below a medium stature. Hart and Davis, then eminent actors, instructed her in the histrionic art, and in a short time she became eminently distinguished in all the most spirited characters. She spoke a prologue or epilogue admirably. She very rarely appeared in tragedy, but is known to have performed in the character of *Almahide*, alluded to by lord Lansdowne in his "Progress of Beauty" in this line—

"And Almahide once more by kings adored."

The pert, vivacious prattle of the orange wench by degrees became a wit refined, sufficiently to please Charles. It was sometimes extravagant, but, even when most eccentric, seemed so natural, that it caused laughter rather than disgust. She was, or affected to be, a friend of the orthodox clergy. It is a well-known fact that she paid the debt of a worthy divine, whom she saw in the hands of the bailiffs. It is equally true that she was once insulted by an Oxford mob, who mistook her for the duchess of Portsmouth; but she put her head out of the coach-window, and said, with her usual good humour—"Pray, good people, be civil; I am the protestant whore!" This laconic and candid speech drew upon her the cheers and blessings of the populace.—Grainger's *Biog. Hist.* v. 395.

She died in 1687. The king's progeny by this lady were two sons: Charles Beauclerk, born in 1670, and created duke of St. Albans; and James Beauclerk, born in 1671, who died when nine years old in France. The duke of St. Albans married Diana Vere, eldest daughter and co-heiress of the last earl of Oxford.—Tindal's *Rapin's Hist.* ii. 740.

Eleanor Gwyn was a great favourite with the king. Upon his death-bed it will be seen he recommended all his children to the especial care of his brother, but he only particularised two of their mothers—the duchess of Portsmouth, and Mrs. Gwyn; his concluding words were, "Do not let poor Nelly starve!"—Roger Coke's *Detection*, ii. 171.

6. *Louise de Querouaille* or *Queroville*, vulgarly pronounced *Carwell*, was the most influential of the king's mistresses, not even excepting the duchess of Cleveland. She was not a delicate beauty, but it was little impaired when she was seventy. She died in 1734, aged eighty-nine.—Voltaire's *Siècle de Louis XIV.*—Grainger's *Biog. Hist.* It was the interest of France to secure to itself the friendship of the English government, and to effect this they condescended to pay, and Charles the Second was a sufficient traitor to his country to receive, an annuity.

Even this was not considered a sufficient bond of security upon this base monarch; and his sister, married to the duke of Orleans, condescended to be the pander to his still more animal passions, and actually brought with her to England the beautiful, fascinating Louise de Querouaille, who intended to gain an influence over the king, and to employ it in favour of her native country.

She became the favourite mistress of Charles, and preserved her ascendancy until his death. At the hour of death he recommended her repeatedly to the care of the duke of York. He said he had always loved her, and now loved her to the last, and besought him pathetically to be very kind to her and her son. To secure her to his interest, the French king erected the town of Aubigny into a duchy and peerdom, and entailed it upon her and such of her male issue by the king of England as he should name. It was subsequently succeeded to by her son, Charles Lenox, who bore the title of duke of Richmond in England. He was born in 1672, was married to a daughter of lord Brudenel, and died in 1723. His mother was created duchess of Portsmouth. She died immensely rich, having accumulated her wealth from the two monarchs who patronized her, and from those who willingly bought her interest in their favour.—Tindal's *Rapin*, ii. 740.—Supplement to *Secret Hist.* of Charles the Second, ii. 25.

7. *Mary Davis*. By this mistress the king appears to have had but one child, Mary Tudor, born in 1763, and married in 1687 to Francis Ratcliff, earl of Derwentwater. Mary Davis was originally a comedian in the duke of York's theatre. She is said to have captivated Charles by singing "My lodging is on the cold ground," in the character of *Celania*, a shepherdess mad from love. Nell Gwyn once played her a disastrous trick by giving her a violent cathartic, when she knew Mrs. Davis was to pass the night with the king.—Tindal's *Rapin*, ii. 740.—Grainger's *Biograph. Hist.* v. 393.

prehesive words put in it that could be thought of. But when the new parliament was called a year after, in which there was a design to set aside the act of indemnity, and to have brought in a new one, the king did so positively insist on his adhering to the act of indemnity, that the design of breaking into it was laid aside. The earl of Clarendon owned it was his counsel. Acts or promises of indemnity, he thought, ought to be held sacred : a fidelity in the observation of them was the only foundation, upon which any government could hope to quiet seditions, or civil wars : and if people once thought, that those promises were only made to deceive them, without an intention to observe them religiously, they would never for the future hearken to any treaty. He often said, " it was the making those promises had brought the king home, and it was the keeping them must keep him at home." So that whole work from beginning to the end was entirely his. The angry men, that were thus disappointed of all their hopes, made a jest of the title of it, " An act of oblivion and of indemnity ; and said, " the king had passed an act of oblivion for his friends, and of indemnity for his enemies." To load the earl of Clarendon the more, it was given out that he advised the king to gain his enemies, since he was sure of his friends by their principles. With this he was often charged, though he always denied it. Whether the king fastened it upon him after he had disgraced him, to make him the more odious, I cannot tell. It is certain, the king said many very hard things of him, for which he was much blamed : and in most of them he was but little believed.

It was natural for the king upon his restoration to look out for a proper marriage ; and it was soon observed, that he was resolved not to marry a protestant. He pretended a contempt of the Germans, and of the northern crowns. France had no sister. He had seen the duke of Orleans' daughters, and liked none of them. Spain had only two infantas, and as the eldest was married to the king of France, the second was to go to Vienna : so the house of Portugal only remained to furnish him a wife, among the crowned heads. Monk began to hearken to a motion made him for this by a Jew, that managed the concerns of Portugal, which were now given for lost, since they were abandoned by France by the treaty of the Pyrenees ; in which it appears by Cardinal Mazarin's letters, that he did entirely deliver up their concerns ; which was imputed to his desire to please the queen-mother of France, who, being a daughter of Spain, owned herself still to be in the interests of Spain in every thing in which France was not concerned, for in that case she pretended she was true to the crown of France. And this was the true secret of cardinal Mazarin's carrying on that war so feebly as he did, to gratify the queen-mother on the one hand, and his own covetousness on the other ; for the less public expence was made, he had the greater occasions of enriching himself, which was all he thought on. The Portuguese being thus, as they thought, cast off by France, were very apprehensive of falling under the Castilians, who, how weak soever they were in opposition to France, yet were like to be too hard for them, when they had nothing else on their hands. So vast offers were made, if the king would marry their Infanta, and take them under his protection. Monk was the more encouraged to entertain the proposition, because some pretended that, in the beginning of the war of Portugal, king Charles had entered into a negotiation for a marriage between his son and this infanta. And the veneration paid his memory was then so high, that every thing he had projected was esteemed sacred. Monk promised to serve the interests of Portugal ; and that was, as sir Robert Southwell told me, the first step made in that matter. Soon after the king came into England, an embassy of congratulation came from thence, with orders to negotiate that business. The Spanish ambassador, who had a pretension of merit from the king in behalf of that crown, since they had received and entertained him at Brussels, when France had thrown him off, set himself much against this match ; and among other things affirmed, that the infanta was incapable of having children. But this was little considered. The Spaniards are not very scrupulous in affirming any thing that serves their ends : and this marriage was like to secure the kingdom of Portugal. So it was no wonder that he opposed it ; and little regard was had to all that he said to break it \*.

\* The enemies of the earl of Clarendon have suggested that the proposal of the Portuguese Infanta to Charles as a suitable wife originated with that statesman ; and that

he did so because, being aware that she was incapable of having issue, he should thus secure the throne to the children of his daughter by the duke of York. It is true



At this time Monsieur Fouquet was gaining an ascendant in the councils of France, cardinal Mazarin falling then into a languishing, of which he died a year after. He sent one over to the king with a project of an alliance between France and England. He was addressed first to the earl of Clarendon, to whom he enlarged on all the heads of the scheme he had brought, of which the match with Portugal was a main article. And, to make all go down the better, Fouquet desired to enter into a particular friendship with the earl of Clarendon, and sent him the offer of 10,000*l.*, and assured him of the renewing the same present every year. The lord Clarendon told him, he would lay all that related to the king faithfully before him, and give him his answer in a little time; but for what related to himself, he said, he served a great and bountiful master, who knew well how to support and reward his servants: he would ever serve him faithfully; and, because he knew he must serve those from whom he accepted the hire, therefore he rejected the offer with great indignation. He laid before the king the heads of the proposed alliance, which required much consultation: but in the next place he told both the king and his brother what had been offered to himself. They both advised him to accept of it. "Why," said he, "have you a mind that I should betray you?" The king answered, he knew nothing could corrupt him. "Then," said he, "you know me better than I do myself: for if I take the money I shall find the sweet of it, and study to have it continued to me by deserving it." He told them how he had rejected the offer, and very seriously warned the king of the danger he saw he might fall into if he suffered any of those, who served him, to be once pensioners to other princes. Those presents were made only to bias them in their councils, and to discover secrets by their means; and if the king gave way to it, the taking money would soon grow to a habit, and spread like an infection through the whole court\*.

As the motion for the match with Portugal was carried on, an incident of an extraordinary nature happened in the court. The earl of Clarendon's daughter, being with child, and near her time, called upon the duke of York to own his marriage with her. She had been maid of honour to the princess royal; and the duke, who was even to his old age of an amorous disposition, tried to gain her to comply with his desires. She managed the matter with so much address, that in conclusion he married her. Her father did very solemnly protest, that he knew nothing of the matter, till now that it broke out†. The duke thought to have

that Clarendon advocated this marriage with the infanta, but it was only consistently with the advice he had always offered to the king; an advice he probably urged more strenuously, fearing to be suspected of the motive which, after all, was attributed to him; a degree of culpable timidity, of which he afterwards felt the effect when one of the charges against him was, that he promoted a matrimonial alliance with a Roman Catholic princess. There is no valid reason to believe that the match was not first suggested by the desire of the Portuguese court; it was the interest of that country, threatened as it was by the superior powers of Spain and France to obtain England as a protective ally. The *Continuation of Clarendon's Life* states this as the truth, and that the project was first mentioned to the king by the earl of Manchester. How much the match was desired by the Portuguese is demonstrated by the magnificence of the dowry, and the advantages given to England upon the completion of the marriage. These were 500,000*l.* in money; the possession of Tangier upon the African coast of the Mediterranean, and the privilege of a free trade to their colonies in the East Indies and Brazil; to raise the dowry, the queen-mother of Portugal sold her jewels, much of her plate, and borrowed those belonging to the churches and monasteries. The progress of this matrimonial negotiation, and the intrigues of the Spanish ambassador and the earl of Bristol to prevent it, are fully related in the *Continuation of Clarendon's Life*, ii. 77, 95.—Wood's *Athenæ Oxon.* ii. 580; the last authority erroneously hints, that the earl of Bristol was ill used.

\* This anecdote of Clarendon's integrity is related also in the *Continuation of his Life*, quoted in the last note.

† This statement of Clarendon's ignorance of his daughter's marriage is confirmed by various authorities. The proceedings attendant upon its discovery are fully narrated in the "*Continuation of Clarendon's Life*," ii. 27. Clarendon, it seems, having the prospect of a suitable alliance for his daughter, desired her to return to England from her attendance upon the princess of Orange. Upon her arrival, the duke of York informed the king of her being his wife, and that she was then pregnant. Charles was sure that Clarendon knew nothing of this, and with kindness not unusual with him, sent the chancellor's intimate friends to break to him the intelligence. Clarendon was overcome with a passion of grief and indignation, and told the king, who kindly arrived to converse with him, before the interview was over, that as a privy councillor it was his duty to advise his majesty to send his daughter to the Tower, and that he would, in his place in parliament, support any measure that might be introduced for her punishment. The duke was firm in his resolution to acknowledge and abide by his union with the chancellor's daughter, until sir Charles Berkeley, mentioned in a previous note, declared that he himself had been criminally connected with her; a calumny he invented to ingratiate himself with those opposed to the match; and which he as readily confessed to be false, when he saw the current of opposition had ceased. The duchess in the mean time was delivered of a son in the presence of the marchioness of Ormond, the countess of Sunderland, and the bishop of Winchester; in answer to whose queries she protested, whilst in anguish, that she was faithful to the duke, and that he was the father of the child. The most inveterate opponent of the marriage was the queen dow-

shaken her from claiming it by great promises, and as great threatenings. But she was a woman of a great spirit. She said, she was his wife, and would have it known that she was so, let him use her afterwards as he pleased. Many discourses were set about upon this occasion; but the king ordered some bishops and judges to peruse the proofs she had to produce: and they reported that, according to the doctrine of the gospel, and the law of England, it was a good marriage. So it was not possible to break it, but by trying how far the matter could be carried against her for marrying a person so near the king without his leave. The king would not break with the earl of Clarendon: and so he told his brother, he must drink as he brewed, and live with her whom he had made his wife. All the earl of Clarendon's enemies rejoiced at this; for they reckoned, how much soever it seemed to raise him at present, yet it would raise envy so high against him, and make the king so jealous of him, as being more in his brother's interests than in his own, that they looked on it as that which would end in his ruin. And he himself thought so, as his son told me; for, as soon as he knew of it, and when he saw his son lifted up with it, he protested to him, that he knew nothing of the matter till it broke out: but added, that he looked on it as that which must be all their ruin sooner or later.

Upon this I will digress a little to give an account of the duke's character, whom I knew for some years so particularly, that I can say much upon my own knowledge. He was very brave in his youth, and so much magnified by Monsieur Turenne, that, till his marriage lessened him, he really clouded the king, and passed for the superior genius. He was naturally candid and sincere, and a firm friend, till affairs and his religion wore out all his first principles and inclinations. He had a great desire to understand affairs; and in order to that he kept a constant journal of all that passed, of which he shewed me a great deal. The duke of Buckingham gave me once a short but severe character of the two brothers. It was the more severe, because it was true. "The king," he said, "could see things if he would, and the duke would see things if he could." He had no true judgment, and was soon determined by those whom he trusted: but he was obstinate against all other advices. He was bred with high notions of the kingly authority, and laid it down for a maxim, that all who opposed the king were rebels in their hearts\*. He was perpetually in one amour or other, without being very nice in his choice: upon which the king said once, "he believed his brother had his mistresses given him by his priests for penance†." He gave me this account of his changing his religion: When he escaped out of the hands of the earl of Northumberland, who had the charge of his education, trusted to him by the parliament, and had used him with great respect, all due care was taken, as soon as he got beyond

ager, who came over to England more zealously to enforce her opposition; and who declared, that if ever the duchess was admitted at Whitehall, she would at the same instant quit the palace. Her opposition ceased suddenly, and on the eve of her return to France she was reconciled both to the chancellor and his daughter. This sudden change appears to have arisen from a message to her from the French ministry, intimating that they should be better pleased if she would be reconciled to her two sons, and those whom they most trusted. The particulars are very minutely detailed in the authority from which this is abstracted.

\* Ignorance and obstinacy were the peculiar failings of James the Second's mind. All his mistakes, false opinions, and crimes, are traceable to those mental deficiencies—deficiencies that probably arose from the imperfect education afforded him. Clarendon says that, as a youth, he was entirely dependent upon his mother; "and there was not that care for the general part of his education, nor that indulgence to his person, as ought to have been; moreover, the queen's own carriage and behaviour to him was at least severe enough."—Clarendon's Autobiography, i. 122.

† This witticism was directed against Catherine Sedley, who serves as an example that superiority of mental accomplishments can retain an influence over man more enduring than beauty. She preserved her place in James's

affections some time after his obtaining the crown, when he created her countess of Dorchester. She bore him several children, and he continued to visit her frequently. "This," says sir John Reresby, "gave the queen a great deal of uneasiness, but there was no help for it, until at length her majesty's party and priests did so importune the king, and so pressingly remonstrated with him on the sin of this amour, and the disparagement it would throw upon their religion, that it was reported he sent her word, either to retire into France, or to expect to have her pension of 4000*l.* a-year withdrawn."—Reresby's Memoirs, 230. She appears to have retired into Ireland, but soon returned.—Clarendon's Correspondence, i. 544; and, from the same authority, we learn, that, in 1689, she kept up an epistolary correspondence with him when in exile, which was intercepted.—Ibid. ii. 279. For this she was in danger of impeachment.—Dalrymple's Memoirs, H. 186. When entirely separated from James, she married David, earl of Portmore. She died in 1717. Her father, sir Charles Sedley, though one of the greatest profligates of his period, highly resented his daughter's dishonour. A scene between them is admirably imagined in the novel of "Walter Colyton." He exerted himself most strenuously to effect the expulsion of James, caustically observing that, "in gratitude, he would do his utmost to make his majesty's daughter a queen, as he had made his own a countess."—Grainger's Biograph. Hist. vi. 154.

sea, to form him to a strict adherence to the church of England : among other things much was said of the authority of the church, and of the tradition from the apostles in support of episcopacy : so that, when he came to observe that there was more reason to submit to the Catholic church than to one particular church, and that other traditions might be taken on her word, as well as episcopacy was received among us, he thought the step was not great, but that it was very reasonable to go over to the church of Rome ; and Doctor Steward having taught him to believe a real but inconceivable presence of Christ in the sacrament, he thought this went more than half way to transubstantiation. He said, that a nun's advice to him to pray every day, that, if he was not in the right way, God would set him right, did make a great impression on him ; but he never told me when or where he was reconciled. He suffered me to say a great deal to him on all these heads. I shewed the difference between submission and obedience in matters of order and indifferent things, and an implicit submission from the belief of infallibility. I also shewed him the difference between a speculation of a mode of Christ's presence, when it rested in an opinion, and an adoration founded on it : though the opinion of such a presence was wrong, there was no great harm in that alone : but the adoration of an undue object was idolatry. He suffered me to talk much and often to him on these heads ; but I plainly saw, it made no impression ; and all that he seemed to intend by it was, to make use of me as an instrument to soften the aversion, that people began to be possessed with to him. He was naturally eager and revengeful ; and was against the taking off any, that set up in an opposition to the measures of the court, and who by that means grew popular in the House of Commons. He was for rougher methods. He continued for many years dissembling his religion, and seemed zealous for the church of England : but it was chiefly on design to hinder all propositions, that tended to unite us among ourselves. He was a frugal prince, and brought his court into method and magnificence ; for he had 100,000*l.* a-year allowed him. He was made high admiral, and he came to understand all the concerns of the sea very particularly. He had a very able secretary about him, sir William Coventry, a man of great notions and eminent virtues, the best speaker in the House of Commons, and capable of bearing the chief ministry, as it was once thought he was very near it. The duke found all the great seamen had a deep tincture from their education : they both hated popery, and loved liberty. They were men of severe tempers, and kept good discipline \*. But in order to the putting the fleet into more confident hands, the duke began a method of sending pages of honour, and other young persons of quality, to be bred to the sea. And these were put in command, as soon as they were capable of it, if not sooner. This discouraged many of the old seamen, when they saw in what a channel advancement was like to go ; who upon that left the service, and went and commanded merchantmen. By this means the virtue and discipline of the navy is much lost. It is true, we have a breed of many gallant men, who do distinguish themselves in action ; but it is thought, the nation has suffered much by the vices and disorders of those captains who have risen by their quality, more than by merit or service.

The duchess of York was a very extraordinary woman. She had great knowledge, and a lively sense of things. She soon understood what belonged to a princess, and took state on her rather too much. She wrote well ; and had begun the duke's life, of which she shewed me a volume. It was all drawn from his journal, and he intended to have employed me in carrying it on. She was bred to great strictness in religion, and practised secret confession. Morley told me, he was her confessor. She began at twelve years old, and continued under his direction, till, upon her father's disgrace, he was put from the court. She was generous and friendly, but was too severe an enemy.

\* James found the seamen were actuated by the same hatred against the papal religion, when, as king, he used every method to introduce that creed among his subjects. "The king," says sir John Reresby, "July 13, 1687, went down to the Thames' mouth, as pretended, only to take a view of the fleet ; but the real cause was to appease the seamen, who were ready to mutiny, because some of their captains had publicly celebrated mass in their ships.

The king flattered them all he could ; went from ship to ship ; called them his children ; said he had nothing to do with their religion, and that he granted liberty of conscience to all ; but that he expected they would behave like men of honour and courage when there should be occasion for their service. They were so far gratified that all the priests were ordered on shore."—Reresby's *Memoirs*, 266.



The king's third brother, the duke of Gloucester, was of a temper different from his two brothers. He was active, and loved business, was apt to have particular friendships, and had an insinuating temper, which was generally very acceptable. The king loved him much better than the duke of York; but he was uneasy when he saw there was no post left for him, since Monk was general. So he spoke to the earl of Clarendon, that he might be made lord treasurer. But he told him, it was a post below his dignity. He would not be put off with that, for he could not bear an idle life, nor to see his brother at the head of the fleet, when he himself had neither business nor dependence. But the mirth and entertainments of that time raised his blood so high, that he took the small-pox, of which he died, much lamented by all, but most particularly by the king, who was never in his whole life seen so much troubled, as he was on that occasion. Those who would not believe he had much tenderness in his nature, imputed this rather to his jealousy of the brother that survived, since he had now lost the only person that could balance him\*. Not long after him the princess royal died likewise of the small-pox; but was not much lamented. She had lived in her widowhood for some years with great reputation, kept a decent court, and supported her brothers very liberally, and lived within bounds. But her mother, who had the art of making herself believe any thing she had a mind to, upon a conversation with the queen mother of France, fancied the king of France might be inclined to marry her: so she wrote to her to come to Paris. In order to that, she made an equipage far above what she could support: so she ran herself into debt, sold all her jewels, and some estates that were in her power as her son's guardian; and was not only disappointed of that vain expectation, but fell into some misfortunes, that lessened the reputation she had formerly lived in. Upon her death it might have been expected, both in justice and gratitude, that the king would in a most particular manner have taken her son, the young prince of Orange, into his protection: but he fell into better hands; for his grandmother became his guardian, and took care both of his estate and his education†.

Thus two of the branches of the royal family were cut off soon after the Restoration. And so little do the events of things answer the first appearances, that a royal family of three princes and two princesses, all young and graceful persons, that promised a numerous issue, did moulder away so fast, that now, while I am writing, all is reduced to the person of the queen, and the duchess of Savoy. The king had a very numerous issue, though

\* Henry, duke of Gloucester, sometimes called Henry of Oatlands, being born at that one of the twenty-four palaces of Charles the First, was the youngest child of this monarch. He was but seven years old when his father was executed; yet, young as he was, the advice and commands imparted to him at their last interview, sank into his mind, and were never forgotten. This pathetic parting has been described by Mr. Herbert, who attended Charles at the time. It was on the day previous to his decapitation. The duke came with his sister, the princess Elizabeth. "The princess being the elder, was the most sensible of her royal father's condition, as appeared by her sorrowful look and excessive weeping. Her little brother seeing her weep, took the like impression, though by reason of his tender age, he could not have the like apprehension. The king raised them both from off their knees, kissed them, gave them his blessing, and setting them on his knees, admonished them concerning their duty and loyal observance to the queen, their mother; the prince that was his successor, and love to the duke of York, and his other relations. The king then gave them all his jewels, save the George he wore, which was cut in an onyx with great curiosity, and set about with twenty-one fair diamonds, and the reverse set with the like number; and then again kissing his children, had such pretty and pertinent answers from them both, as drew tears of love and joy from his eyes: and then praying God Almighty to bless them, he turned about, expressing a tender and fatherly affection. Most sorrowful was this parting: and the young prince shedding tears, and crying most lamentably, moved others to pity that formerly were

hard-hearted. And at the opening the chamber-door, the king returned hastily from the window, kissed them, and so parted."—Wood's *Athenæ Oxon.* ii. 700. Clarendon says, that Charles the First repeatedly impressed upon the youthful duke, that whatever attempts might be made to induce him to accept the crown to the prejudice of his elder brothers, or to induce him to change his religion, he must never assent to the proposals. A command that the duke, young as he then was, quoted and firmly adhered to when his mother, some years after, used her influence to convert him to the papal creed.—Clarendon's *Hist. of Rebellion*, iii. 52, 425. One of Clarendon's friends advised that the duke, who was only called "Master Harry," should be bound out to some good trade, that so he might get his bread honestly.—South's *Sermons*, 448.—He died in 1660, aged rather more than twenty years.

† I do not know what Burnet intended by the "misfortunes" that happened to the princess of Orange lessening her reputation. Whatever they were they could not lessen her merit as the strenuous alleviator of the distress incident to the exile of her brothers. She is described by other authorities as mild patient, affectionate, and firm-minded. Her husband and herself fell victims to the same eruptive disease. She had only just arrived in England to congratulate her brother upon his restoration, when the fatal disorder seized her. She was buried on the last day of 1660, in Henry the Seventh's chapel.—Fenton's *Observations on Waller*.—Walker's *Hist. of Independency*, iv. 99.—Clarendon's *Hist. of Rebellion*.

none by his queen. The duke had by both his wives, and some irregular amours, a very numerous issue. And the present queen has had a most fruitful marriage as to issue, though none of them survive. The princess Henrietta was so pleased with the diversion of the French court, that she was glad to go thither again to be married to that king's brother.

As the treaty with Portugal went on, France did engage in the concerns of that crown, though they had by treaty promised the contrary to the Spaniards. To excuse their perfidy, count Schomberg, a German by birth, and a Calvinist by his religion, was ordered to go thither, as one prevailed with by the Portugal ambassador, and not as sent over by the orders of the court of France. He passed through England to concert with the king the matters of Portugal, and the supply that was to be sent thither from England. He told me, the king had admitted him into great familiarities with him at Paris. He had known him first at the Hague, for he was the prince of Orange's particular favourite; but had so great a share in the last violent actions of his life, seizing the states, and in the attempt upon Amsterdam, that he left the service upon his death, and gained so great a reputation in France, that, after the prince of Conde and Turenne, he was thought the best general they had. He had much free discourse with the king, though he found his mind was so turned to mirth and pleasure, that he seemed scarce capable of laying any thing to heart. He advised him to set up for the head of the protestant religion: for though he said to him, he knew he had not much religion, yet his interests led him to that. It would keep the princes of Germany in a great dependence on him, and make him the umpire of all their affairs; and would procure him great credit with the Huguenots of France, and keep that crown in perpetual fear of him. He advised the king to employ the military men that had served under Cromwell, whom he thought the best officers he had ever seen: and he was sorry to see they were dismissed, and that a company of wild young men were those the king relied on. But what he pressed most on the king, as the business then in agitation, was concerning the sale of Dunkirk. The Spaniards pretended it ought to be restored to them, since it was taken from them by Cromwell, when they had the king and his brothers in their armies: but that was not much regarded. The French pretended that, by their agreement with Cromwell, he was only to hold it till they had repaid the charge of the war: therefore they, offering to lay that down, ought to have the place delivered to them. The king was in no sort bound by this: so the matter under debate was, whether it ought to be kept or sold? The military men, who were believed to be corrupted by France, said, the place was not tenable; that in time of peace it would put the king to a great charge, and in time of war it would not quit the cost of keeping it. The earl of Clarendon said, he understood not those matters, but appealed to Monk's judgment, who did positively advise the letting it go for the sum that France offered. To make the business go the easier, the king promised, that he would lay up all the money in the Tower; and that it should not be touched, but upon extraordinary occasions. Schomberg advised, in opposition to all this, that the king should keep it; for, considering the naval power of England, it could not be taken. He knew that, though France spoke big, as if they would break with England unless that was delivered up, yet they were far from the thoughts of it. He had considered the place well, and he was sure it could never be taken, as long as England was master of the sea. The holding it would keep both France and Spain in a dependence upon the king. But he was singular in that opinion: so it was sold; and all the money that was paid for it, was immediately squandered away among the mistress's creatures.

By this the king lost his reputation abroad. The court was believed venal. And because the earl of Clarendon was in greatest credit, the blame was cast chiefly on him; though his son assured me, he had kept himself out of that affair entirely\*. The cost bestowed on that

\* By Monsieur d'Estrade's letters, published some years after the author's death, it should seem, that the earl of Clarendon had a considerable share in that negotiation.

The eleventh article in the impeachment of the earl of Clarendon was, "that he advised and effected the sale of Dunkirk to the French king, being part of his majesty's dominions; together with the ammunitions, artillery, and stores there, and for no greater value, than the

said ammunitions, artillery, and stores were worth."—*State Trials*, ii. 557. fol. In the *Continuation of Lord Clarendon's Life*, there is a very particular account of his lordship's conduct in this transaction. In this authority it is decidedly stated, that he was opposed to the sale of the town, a sale the proposal of which originated with the earl of Southampton, lord treasurer. The proposition was supported by the duke of Albemarle, the earl of Sandwich,

place since that time, and the great prejudice we have suffered by it, has made that sale to be often reflected on very severely. But it was pretended that Tangier, which was offered as a part of the portion that the infanta of Portugal was to bring with her, was a place of much greater consequence. Its situation in the map is indeed very eminent. And if Spain had been then in a condition to put any restraint on our trade, it had been of great use to us; especially, if the making a mole there had been more practicable, than it proved to be. It was then spoken of in the court in the highest strains of flattery. It was said, this would not only give us the entire command of the Mediterranean trade, but it would be a place of safety for a squadron to be always kept there, for securing our West and East India trade. And such mighty things were said of it, as if it had been reserved for the king's reign to make England as glorious abroad, as it was happy at home: though since that time we have never been able, either by force or treaty, to get ground enough round the town from the Moors, to maintain the garrison. But every man that was employed there studied only his own interest, and how to rob the king. If the money, that was laid out in the mole at different times, had been raised successively, as fast as the work could be carried on, it might have been made a very valuable place. But there were so many discontinuings, and so many new undertakings, that after an immense charge the court grew weary of it: and in the year 1688 they sent a squadron of ships to bring away the garrison, and to destroy all the works.

This matter of the king's marriage with the infanta of Portugal was at last concluded. The earl of Sandwich went for her, and was the king's proxy in the nuptial ceremony. The king communicated the matter both to the parliament of England, and Scotland. And so strangely were people changed, that though they all had seen the mischievous effects of a popish queen in the former reign, yet not one person moved against it in either parliament, except the earl of Cassilis in Scotland; who moved for an address to the king to marry a protestant. He had but one to second him: so entirely were men run from one extreme to another.

When the queen was brought over, the king met her at Winchester in summer 1662. The archbishop of Canterbury came to perform the ceremony: but the queen was bigoted to such a degree, that she would not say the words of matrimony, nor bear the sight of the archbishop. The king said the words hastily: and the archbishop pronounced them married persons. Upon this some thought afterwards to have dissolved the marriage, as a marriage only *de facto*, in which no consent had been given. But the duke of York told me, they were married by the lord Aubigny, according to the roman ritual, and that he himself was one of the witnesses: and he added, that, a few days before he told me this, the queen had said to him, that she heard some intended to call her marriage in question; and that, if that was done, she must call on him as one of her witnesses to prove it. I saw the letter that the king wrote to the earl of Clarendon the day after their marriage, by which it appeared very plainly that the marriage was consummated, and that the king was well pleased with her. The king himself told me, she had been with child: and Willis the great physician told Dr. Lloyd, from whom I had it, that she had once miscarried of a child, which was so far advanced, that, if it had been carefully looked to, the sex might have been distinguished. But she proved a barren wife, and was a woman of a mean appearance, and of no agreeable temper: so that the king never considered her much. And she made ever after but a very mean figure. For some time the king carried things decently, and did not visit his

sir George Carteret, all military authorities, by both secretaries of state, by the duke of York and the king. When the subject was finally debated, the chancellor being confined by the gout, all the above-named magnates met in his chamber. Upon their entrance, the earl of Southampton said to the king jesting, and alluding to the chancellor's dislike of the measure, that he had better take the chancellor's staff from him, otherwise his head might suffer. The only privy councillor who agreed with Clarendon in opposition to this measure was the earl of St. Albans.—Continuation of Clarendon's Life, ii. 204. The popular opinion was against Clarendon, and his

residence having been enlarged soon after the town was sold, it was long satirised by the name of Dunkirk House, as intimation that the bribe he received to consent to the sale had enabled him to increase the size of his dwelling. Andrew Marvel severely attacked the earl in the House of Commons, and in one of his satires, for he was a poet as well as a legislator, he thus apostrophised him:

"Fools-coated gownman! Sells, to fight with Hans,  
Dunkirk; dismantling Scotland, quarrels France."

These lines are allusive to the war with Holland, and the dismantling of the Scotch forts.



mistress openly. But he grew weary of that restraint; and shook it off so entirely, that he had ever after that mistress to the end of his life, to the great scandal of the world, and to the particular reproach of all that served about him in the church. He usually came from his mistress's lodgings to church, even on sacrament days. He held as it were a court in them: and all his ministers made application to them. Only the earls of Clarendon and Southampton would never so much as make a visit to any of them, which was maintaining the decencies of virtue in a very solemn manner. The lord Clarendon put the justice of the nation in very good hands; and employed some who had been on the bench in Cromwell's time, the famous Sir Matthew Hale in particular.

The business of Ireland was a harder province. The Irish that had been in the rebellion had made a treaty with the duke of Ormond, then acting in the king's name, though he had no legal power under the great seal, the king being then a prisoner. But the queen-mother got, as they gave out, the crown of France to become the guarantee for the performance. By the treaty they were to furnish him with an army, to adhere to the king's interests, and serve under the duke of Ormond; and for this they were to be pardoned all that was passed, to have the open exercise of their religion, and a free admittance into all employments, and to have a free parliament without the curb of Poynings' law.\* But after the misfortune at Dublin, they set up a supreme council again, and refused to obey the duke of Ormond; in which the pope's nuncio conducted them. After some disputes, and that the duke of Ormond saw he could not prevail with them to be commanded by him any more, he left Ireland. And Cromwell came over, and reduced the whole country, and made a settlement of the confiscated estates, for the pay of the undertakers for the Irish war, and of the officers that had served in it. The king had in his declaration from Breda promised to confirm the settlement of Ireland. So now a great debate arose between the native Irish and the English settled in Ireland. The former claimed the articles that the duke of Ormond had granted them. He in answer to this said, they had broken them first on their part, and so had forfeited their claim to them. They seemed to rely much on the court of France, and on the whole popish party abroad, as they were the most considerable branch of it here at home. But England did naturally incline to support the English interests. And, as that interest in Ireland had gone in very unanimously to the design of the king's restoration, and had merited much on that account, so they drew over the duke of Ormond to join with them, in order to an act confirming Cromwell's settlement. Only a court of claims was set up, to examine the pretensions of some of the Irish, who had special excuses for themselves, why they should not be included in the general forfeiture of the nation. Some were under age: others were travelling, or serving abroad; and many had distinguished themselves in the king's service, when he was in Flanders; chiefly under the duke of York, who pleaded much for them, and was always depended on by them, as their chief patron. It was thought most equitable, to send over men from England, who were not concerned in the interests or passions of the parties of that kingdom, to try those claims. Their proceedings were much cried out on: for it was said, that every man's claim, who could support it with a good present, was found good, and that all the members of that court came back very rich. So that, though the Irish thought they had not justice enough done them, the English said they had too much. When any thing was to be proved by witnesses, sets of them were hired, to depose according to the instructions given them. This was then cried out on, as a new scene of wickedness, that was then opened, and which must in the end subvert all justice and good government. The infection has spread since that time, and crossed the sea. And the danger of being ruined by false witnesses has become so terrible, that there is no security against it, but from the sincerity of juries. And if these come to be packed, then all men may be soon at mercy, if a wicked government should set on a violent prosecution, as has happened oftener than once. I am not instructed enough in the affairs of Ireland, to carry this matter into farther particulars. The English

\* This law was so named from its being passed by the Irish parliament, at the time sir Edward Poynings was lord lieutenant. It is among the Irish statutes, 10 Hen. VII. c. 2, and enacts that all statutes, previous to the passing

of that act, which were in force in England should have equal force in Ireland.—Blackstone's Commentaries, i. 103.

interest was managed chiefly by two men of a very indifferent reputation: the earls of Anglesey and Orrery\*. The chief manager of the Irish interest was Richard Talbot, one of the duke's bed-chamber men, who had much cunning, and had the secret both of his master's pleasures, and of his religion, for some years, and was afterwards raised by him to be earl and duke of Tyrconnel. Thus I have gone over the several branches of the settlement of matters after the Restoration. I have reserved the affairs of the church last, as those about which I have taken the most pains to be well informed; and which I do therefore offer to the reader with some assurance, and on which I hope due reflection will be made.

At the Restoration, Juxon, the most ancient and most eminent of the former bishops, who had assisted the late king in his last hours, was promoted to Canterbury, more out of decency, than that he was then capable to fill that post; for as he was never a great divine, so he was now superannuated. Though others have assured me, that after some discourses with the king he was so much struck with what he observed in him, that upon that he lost both heart and hope. The king treated him with outward respect, but had no great regard to him. Sheldon and Morley were the men that had the greatest credit. Sheldon was esteemed a learned man before the war: but he was now engaged so deep in politics, that scarce any prints of what he had been remained. He was a very dexterous man in business, had a great quickness of apprehension, and a very true judgment. He was a generous and charitable man. He had a great pleasantness of conversation, perhaps too great. He had an art, that was peculiar to him, of treating all that came to him in a most obliging manner: but few depended much on his professions of friendship. He seemed not to have a deep sense of religion, if any at all: and spoke of it most commonly as of an engine of government, and a matter of policy. By this means the king came to look on him as a wise and honest clergyman. Sheldon was at first made bishop of London, and was upon Juxon's death promoted to Canterbury†. Morley had been first known to the world as a friend of the lord Falkland's: and that was enough to raise a man's character. He had continued for many years in the lord Clarendon's family, and was his particular friend. He was a Calvinist with relation to the Arminian points, and was thought a friend to the puritans before the wars: but he took care after his promotion to free himself from all suspicions of that kind. He was a pious and charitable man, of a very exemplary life, but extremely passionate. and very obstinate. He was first

\* Arthur Annesley, earl of Anglesea, is one of those characters that the historian cannot record as either a faithful, or as a profligate minister of the government. There is a full and interesting narrative of his life in the *Biographia Britannica*, vindicating him successfully from the severe reflections of Burnet and Wood, yet, as is observed by Dr. Kippis, we search in vain for a perfect consistency in the earl of Anglesea's character. A man who began with appearing for Charles the First, and then was zealous for the parliament; who was president of the republican council of state, and ardent for the restoration of monarchy; who could maintain his post for twenty-two years of such a reign as that of Charles the Second, and afterwards manage so as to be thought of for lord chancellor to king James the Second, must have been of a very accommodating turn of mind. He wrote a very spirited remonstrance to Charles the Second, warning him against an infraction of the laws; but he did not protest with other lords, in 1675, against the Test Act; yet he voted, though alone, against the Irish Plot; protested also, without a companion, against the attainder of the earl of Strafford; and voted with the earl of Clare against passing the bill. He will be noticed in future pages. He died in 1686, aged seventy-three.

Roger Boyle, earl of Orrery, though a licentious liver, was a good soldier, a discreet statesman, and, though an indifferent author, yet, was a bountiful patron of literature. He died in 1679, aged fifty-nine. For more information relative to Irish affairs at this period, the reader may consult, with advantage, Morice's *Memoirs of the Earls of Orrery*;

Budgell's *Memoirs of the Boyles*; Carte's *Life of the Duke of Ormond*; Cox's *History of Ireland*. See also article "Boyle," in the *Biographia Britannica*.

† Dr. Gilbert Sheldon had the merit and satisfaction of winning the highest distinctions of his profession by the exertion of his unaided talents. His father was a favourite domestic of Gilbert earl of Shrewsbury. He rapidly distinguished himself, and having obtained the family chaplaincy of lord-keeper Coventry, was, by that great lawyer, recommended to the notice of Charles the First, who made him chaplain in ordinary, and clerk of his closet. He had previously been elected warden of All Souls' College. Upon the Restoration, he was preferred to the deanery of the chapel royal, and finally succeeded Dr. Juxon, in the bishopric of London, and archbishopric of Canterbury. He had claims upon the gratitude of Charles the Second, for Clarendon informs us, that during that king's exile, Sheldon supplied him with money from his own private funds. He was born in 1598, and died in 1677. From the time of his being made bishop of London, to his decease, his brother told Anthony Wood, he had spent 66,000*l.* in charities, and public benefits. The erection of the theatre at Oxford cost him 16,000*l.* and 2,000*l.* more for a fund to keep it in repair. Among all his acquaintance he was distinguished for his learning, benevolence, and prudence. Sir Francis Wenman, who met him frequently at lord Falkland's, often said, "Dr. Sheldon was born and bred to be archbishop of Canterbury."—Wood's *Athenæ Oxon.* ii. 162.—Clarendon's *Life*, i. 125.—*Biographia Britannica*.

made bishop of Worcester \* Doctor Hammond, for whom that see was designed, died a little before the Restoration, which was an unspeakable loss to the church: for, as he was a man of great learning, and of most eminent merit, he having been the person, that during the bad times had maintained the cause of the church in a very singular manner, so he was a very moderate man in his temper, though with a high principle; and probably he would have fallen into healing counsels. He was also much set on reforming abuses, and for raising in the clergy a due sense of the obligations they lay under. But by his death Morley was advanced to Worcester: and not long after he was removed to Winchester, void by Duppa's death, who had been the king's tutor, though no way fit for that post; but he was a meek and humble man, and much loved for the sweetness of his temper; and would have been more esteemed, if he had died before the Restoration; for he made not that use of the great wealth that flowed in upon him, that was expected. Morley was thought always the honester man of the two, as Sheldon was certainly the abler man †.

The first point in debate was, whether concessions should be made, and pains taken to gair the dissenters, or not; especially the presbyterians. The earl of Clarendon was much for it; and got the king to publish a declaration soon after his Restoration concerning ecclesiastical affairs, to which if he had stood, very probably the greatest part of them might have been gained. But the bishops did not approve of this: and after the service they did that lord in the duke of York's marriage, he would not put any hardship on those who had so signally obliged him. This disgusted the lord Southampton, who was for carrying on the design, that had been much talked of during the wars, of moderating matters both with relation to the government of the church, and the worship and ceremonies: which created

\* Dr. George Morley, though of more gentle extraction than his friend Sheldon, was like him chiefly indebted to his own merits for his success in life. His father died when he was but six years old, and his mother left him an orphan before he was twelve—an orphan without any patrimony, this being lost by his father rendering himself liable for the debts of others. After passing through the usual university degrees with distinction, he was invited to accept the domestic chaplaincy of the earl of Caermarvon, and remained in that nobleman's family, which, says Clarendon, needed a wise and wary director, until he was forty-three. He was deeply versed in theological literature, was a good classic scholar, but was even still more eminent for his wit. This dangerous gift, though used by him with great discretion, and never unkindly, was too frequently interpreted to his disadvantage. Thus, being asked by a grave country gentleman, who was desirous of hearing their tenets, "what the Arminians held," Morley laughingly replied, that "they held all the best bishoprics and deaneries in England," and this was seriously disseminated as Mr. Morley's definition of Arminianism. Throughout his life he was intimate with the chief literary characters of that period. When a young man, being one of those particularly noticed by "rare Ben Jonson," he was always considered as one of those familiarly known as his "sons." Lord Falkland, the earl of Clarendon, Chillingworth, and Edmund Waller, were among the number of his English friends; and whilst residing in Holland, whither he retired upon the death of Charles the First, he became intimate with Heinsius, Salmasius, Bochart, Rivetius, &c. Upon the Restoration he was preferred successively to the deanery of Christchurch, and the bishoprics of Worcester and Winchester. Upon translating him to the latter, Charles justly observed, "he would never be the richer for it;" for besides a munificently charitable disposition, he had a taste for building. He spent 8,000*l.* upon Farnham Castle; 4,000*l.* upon Winchester House, Chelsea; gave an excellent library, still remaining, to Winchester Cathedral, and distributed his benevolences profusely. He rose regularly at five in the morning, and retired to his bed nightly at eleven. In the coldest weather, he never had a fire when he arose, or a warming-pan when he went to bed. He ate but once in the twenty-

four hours. This abstemiousness and regularity preserved a good natural constitution: he passed from infancy to the grave, a space of seventy-four years, without being confined to his bed by sickness more than twice. He died in 1684. His writings are chiefly polemical; in the preface to a volume of his tracts, published in 1683, is a good account of the religious character of Anne Hyde, duchess of York, previous to her changing her communion. She had been under his care and tuition whilst he resided with the family at Antwerp.—Wood's *Athenæ Oxon.* ii. 770, fo.—Clarendon's *Autobiography*, i. 25.—*Life of Waller*, prefixed to his works.—*Biographia Britannica*.

† Dr. Henry Hammond was one of the greatest ornaments of the English church. He was a consistent, uncompromising royalist. Charles the First had him constantly in attendance until all his suite were removed.

His "Practical Catechism," and "Annotations upon the New Testament," are two of the best works in our voluminous theological literature. He died in 1660, aged fifty-five. His "Life," by Dr. Fell, contains a good deal of interesting information relative to the transactions of the reign of the first Charles. Wood gives him this extremely laudatory character. "Great were his natural abilities, greater his acquired; in the whole circle of the arts he was most accurate. He was also eloquent in the tongues; exact in ancient and modern writers; well-versed in philosophy, better in philology, and most learned in school divinity. He was a great master in church antiquity, made up of fathers, councils, ecclesiastical historians and liturgies, as may be seen at large in his most elaborate works.—Wood's *Athenæ Oxon.* ii. 245. Dr. Brian Duppa does not appear to have merited the censure for want of liberality passed upon him by Burnet. He built and liberally endowed almshouses at Richmond, in Surrey; remitted rent, &c. to his tenants, to the amount of 30,000*l.*; and bequeathed 16,000*l.* to various charitable and beneficent purposes. Other authorities also state him to have been well qualified for the place of tutor to Charles the Second; it is certain this monarch venerated his character, for, as the doctor lay upon his death-bed, the king knelt by his bedside to ask his blessing. He died in 1662.—Wood's *Athenæ Oxon.* ii. 269.—*Biograph. Brit.*—*Grainger's Biograph. Hist.*, &c.



some coldness between him and the earl of Clarendon, when the lord chancellor went off from those designs. The consideration that those bishops and their party had in the matter was this: the presbyterians were possessed of most of the great benefices in the church, chiefly in the city of London, and in the two universities. It is true, all that had come into the room of those who were turned out by the parliament, or by the visitors sent by them, were removed by the course of law, as men that were illegally possessed of other men's rights: and that, even where the former incumbents were dead, because a title originally wrong was still wrong in law. But there were a great many of them in very eminent posts, who were legally possessed of them. Many of these, chiefly in the city of London, had gone into the design of the Restoration in so signal a manner, and with such success, that they had great merit, and a just title to very high preferment. Now, as there remained a great deal of the old animosity against them, for what they had done during the wars, so it was said, it was better to have a schism out of the church than within it; and that the half-conformity of the puritans before the war, had set up a faction in every city and town between the lecturers and the incumbents; that the former took all methods to render themselves popular, and to raise the benevolence of their people, which was their chief subsistence, by disparaging the government both in church and state. They had also many stories among them, of the credit they had in the elections of parliament men, which they infused in the king, to possess him with the necessity of having none to serve in the church, but persons that should be firmly tied to his interest, both by principle, and by subscriptions and oaths. It is true, the joy then spread through the nation had got at this time a new parliament to be elected, of men so high and so hot, that unless the court had restrained them, they would have carried things much farther than they did, against all that had been concerned in the late wars: but they were not to expect such success at all times: therefore they thought it was necessary to make sure work at this time: and, instead of using methods to bring in the sectaries, they resolved rather to seek the most effectual ones for casting them out, and bringing a new set of men into the church. This took with the king, at least it seemed to do so. But though he put on an outward appearance of moderation, yet he was in another and deeper laid design, to which the heat of these men proved subservient, for bringing in of popery. A popish queen was a great step to keep it in countenance at court, and to have a great many priests going about the court making converts. It was thought, a toleration was the only method for setting it a going all the nation over. And nothing could make a toleration for popery pass, but the having great bodies of men put out of the church, and put under severe laws, which should force them to move for a toleration, and should make it reasonable to grant it to them. And it was resolved, that whatever should be granted of that sort should go in so large a manner, that papists should be comprehended within it. So the papists had this generally spread among them, that they should oppose all propositions for comprehension, and should animate the church party to maintain their ground against all the sectaries. And in that point they seemed zealous for the church. But at the same time they spoke of toleration, as necessary both for the peace and quiet of the nation, and for the encouragement of trade. And with this the duke was so possessed, that he declared himself a most violent enemy to comprehension, and as zealous for toleration. The king being thus resolved on fixing the terms of conformity to what they had been before the war, without making the least abatement or alteration, they carried on still an appearance of moderation, till the strength of the parties should appear in the new parliament.

So, after the declaration was set out, a commission was granted to twelve of a side, with nine assistants to each side, who were appointed to meet at the Savoy, and to consider on the ways of uniting both sides. At their first meeting, Sheldon told them, that those of the church had not desired this meeting, as being satisfied with the legal establishment: and therefore they had nothing to offer; but it belonged to the other side who moved for alterations, to offer both their exceptions to the laws in being, and the alterations that they proposed. He told them, they were to lay all they had to offer before them at once; for they would not engage to treat about any one particular, till they saw how far their demands went: and he said, that all was to be transacted in writing, though the others insisted on an amicable conference: which was at first denied:

yet some hopes were given of allowing it at last. Papers were upon this given in. The presbyterians moved, that bishop Usher's reduction should be laid down as a ground-work to treat on; that bishops should not govern their dioceses by their single authority, nor depute it to lay officers in their courts, but should in matters of ordination and jurisdiction take along with them the counsel and concurrence of the presbyters. They did offer several exceptions to the liturgy, against the many responses by the people; and they desired all might be made one continued prayer. They desired that no lessons should be taken out of the apocryphal books: that the psalms used in the daily service should be according to the new translation. They excepted to many parts of the office of baptism, that import the inward regeneration of all that were baptised. But as they proposed these amendments, so they did also offer a liturgy new drawn by Mr. Baxter. They insisted mainly against kneeling at the sacrament of the Lord's supper, chiefly against the imposing it: and moved that the posture might be left free, and that the use of the surplice, of the cross in baptism of god-fathers being the sponsors in baptism, and of the holy-days, might be abolished. Sheldon saw well what the effect would be of putting them to make all their demands at once. The number of them raised a mighty outcry against them, as people that could never be satisfied. But nothing gave so great an advantage against them, as their offering a new liturgy. In this they were divided among themselves. Some were for insisting only on a few important things, reckoning that, if they were gained, and a union followed upon that, it would be easier to gain other things afterwards. But all this was overthrown by Mr. Baxter, who was a man of great piety: and, if he had not meddled in too many things, would have been esteemed one of the learned men of the age: he wrote near two hundred books: of these, three are large folios: he had a very moving and pathetic way of writing, and was his whole life long a man of great zeal and much simplicity; but was most unhappily subtle and metaphysical in every thing\*. There was a great submission paid to him by the whole party. So he persuaded them, that from the words of the commission they were bound to offer every thing, that they thought might conduce to the good or peace of the church, without considering what was like to be obtained, or what effect their demanding so much might have, in irritating the minds of those who were then the superior body in strength and number. All the whole matter was at last reduced to one single point, whether it was lawful to determine the certain use of things indifferent in the worship of God? The bishops held them to that point, and pressed them to shew that any of the things imposed were of themselves unlawful. The presbyterians declined this; but affirmed, that other circumstances might make it become unlawful to settle a peremptory law about things indifferent; which they applied chiefly to kneeling in the sacrament, and stood upon it that a law, which excluded all that did not kneel from the sacrament, was unlawful, as a limitation in the point of communion put on the laws of Christ, which ought to be the only condition of those who had a right to it. Upon this point there was a free conference that lasted some days. The two men, that had the chief management of the debate, were the most unfit to heal matters, and the fittest to widen them, that could have been found out.

\* Richard Baxter was in every condition of life an extraordinary man. As a youth, though his education was neglected, yet by diligence he qualified himself for the masterships of Wroxeter and Dudley free-schools. He had an opportunity of advancing his fortune at court by being kindly received by sir Henry Herbert, master of the revels, but he conscientiously objected to a courtier's life; this was one instance only of the high principle and piety that marked his career, and they never pass unrewarded. Although he had not been at a university, he was ordained by the bishop of Winchester. He was alike admired by episcopalians and by presbyterians, but entirely coincided with neither. We have seen in the text that he desired an alteration in the liturgy and the church ceremonies; yet he was one of Charles the Second's chaplains, and we shall see that he was offered, and refused, a bishopric in 1685. He was tried before the base and brutal Jefferies, for some reflections against episcopacy contained in his

"Paraphrase on the New Testament." He was fined five hundred marks, to be imprisoned until they were paid, and to find securities for his good behaviour during seven years. After a short confinement, he was released, through the intervention of lord Powis.—Woolrych's *Memoirs of Lord Jefferies*, 178. He was born in 1615, and died in 1691. He was the author of one hundred and forty-five distinct treatises, which have been published in four large folios. He was characterised by a deep sense of the truth and importance of Christianity. His zeal for its promulgation was indefatigable, yet it never degenerated into enthusiasm. All dispassionate competent judges speak of his character and practical writings with applause. It is impossible within the limits of a note to delineate his excellencies; it may be best appreciated from the "Narrative of his own Life and Times;" which is a diary that affords much information relative to the period in which he lived. See also Calamy; and *Biographia Britannica*.

Baxter was the opponent, and Gunning was the respondent; who was afterwards advanced, first to Chichester, and then to Ely: he was a man of great reading, and noted for a special subtilty of arguing: all the arts of sophistry were made use of by him on all occasions, in as confident a manner, as if they had been sound reasoning: he was a man of an innocent life, unweariedly active to very little purpose: he was much set on the reconciling us with popery in some points: and, because the charge of idolatry seemed a bar to all thoughts of reconciliation with them, he set himself with very great zeal to clear the church of Rome of idolatry. This made many suspect him as inclining to go over to them; but he was far from it: and was a very honest, sincere man, but of no sound judgment, and of no prudence in affairs: he was for our conforming in all things to the rules of the primitive church, particularly in praying for the dead, in the use of oil, with many other rituals: he formed many in Cambridge upon his own notions, who have carried them perhaps farther than he intended\*. Baxter and he spent some days in much logical arguing, to the diversion of the town, who thought here were a couple of fencers engaged in disputes, that could never be brought to an end, nor have any good effect. In conclusion, this commission being limited to such a number of days, came to an end, before any one thing was agreed on. The bishops insisted on the laws that were still in force, to which they would admit of no exception, unless it was proved that the matter of those laws was sinful. They charged the presbyterians with having made a schism, upon a charge against the church for things, which now they themselves could not call sinful. They said, there was no reason to gratify such a sort of men in any thing; one demand granted would draw on many more: all authority both in church and state was struck at by the position they had insisted on, that it was not lawful to impose things indifferent, since they seemed to be the only proper matter in which human authority could interpose. So this furnished an occasion to expose them as enemies to all order. Things had been carried at the Savoy with great sharpness, and many reflections. Baxter said once, such things would offend many good men in the nation. Stearn, the archbishop of York, upon that took notice that he would not say kingdom, but nation, because he would not acknowledge a king. Of this great complaints were made, as an indecent return for the zeal they had shewn in the restoration.

The conference broke up without doing any good. It did rather hurt, and heightened the sharpness that was then in people's minds to such a degree, that it needed no addition to raise it higher. The presbyterians laid their complaints before the king: but little regard was had to them. And now all the concern that seemed to employ the bishops' thoughts was, not only to make no alteration on that account, but to make the terms of conformity much stricter than they had been before the war. So it was resolved to maintain conformity to the height, and to put lecturers in the same condition with the incumbents, as to oaths and subscriptions; and to oblige all persons to subscribe an unfeigned assent and consent to all and every particular, contained and prescribed in the Book of Common Prayer. Many, who thought it lawful to conform in submission, yet scrupled at this, as importing a particular approbation of every thing: and great distinction was made between a conformity in practice, and so full and distinct an assent. Yet men got over that, as importing no more but a consent of obedience: for though the words of the subscription, which were also to be publicly pronounced before the congregation, declaring the person's unfeigned assent and consent, seemed to import this, yet the clause of the act that enjoined this carried a clear explanation of it; for it

\* Dr Peter Gunning was a firm believer in Christianity, and an able controversialist—but he was better calculated to confound than to convert its opponents, and its erring professors. He firmly advocated the cause of Charles the First, even when the parliament was in the ascendant, and suffered a proportionate persecution. His publications are all controversial; one of them, entitled "Views and Corrections of the Common Prayer," related to the topic mentioned in the text. He was born in 1613, and died in 1684. A full detail of his character was given by Dr. Gower in a book entitled "A Discourse delivered in Two Sermons in the Cathedral at Ely." No man had ever more thoroughly studied the Bible; and, having a powerful

memory, he perhaps was never equalled as a textuary. It bespeaks a kindness of heart, that when he obtained the mastership of St. John's College, Cambridge, upon the ejection of Dr. Tuckney, he allowed this nonconformist divine a handsome annuity during his life. His person was handsome, and his manner graceful, which will sufficiently account for the admiration he won of the court ladies, without asserting with "the Merry Monarch," that "they admired his preaching, because they did not understand him."—Wood's *Athense Oxon.* 763, fo.—Master's *Hist. Corpus Christi College*, 157—Salmon's *Lives of English Bishops*, 259.



enacted this declaration as an assent and consent to the use of all things contained in the book. Another subscription was enacted, with relation to the league and covenant : by which they were required to declare it not lawful upon any pretence whatsoever to take arms against the king, renouncing the traitorous position of taking arms by his authority against his person, or those commissioned by him, together with a declaration, that no obligation lay on them, or any other person, from the league or covenant, to endeavour any change or alteration of government in church and state, and that the covenant was in itself an unlawful oath. This was contrived against all the old men, who had both taken the covenant themselves, and had pressed it upon others. So they were now to own themselves very guilty in that matter. And those, who thought it might be lawful, upon great and illegal provocation, to resist unjust invasions on the laws and liberties of the subjects, excepted to the subscription, though it was scarcely safe for any at that time to have insisted on that point. Some thought, that since the king had taken the covenant, he at least was bound to stand to it.

Another point was fixed by the act of uniformity, which was more at large formerly : those, who came to England from the foreign churches, had not been required to be ordained among us : but now all, that had not episcopal ordination, were made incapable of holding any ecclesiastical benefice. Some few alterations were made in the liturgy by the bishops themselves : a few new collects were made, as the prayer for all conditions of men, and the general thanksgiving : a collect was also drawn for the parliament, in which a new \* epithet was added to the king's title, that gave great offence, and occasioned much indecent raillery : he was styled our most religious king. It was not easy to give a proper sense to this, and to make it go well down ; since, whatever the signification of religion might be in the Latin word, as importing the sacredness of the king's person, yet in the English language it bore a signification that was no way applicable to the king. And those who took great liberties with him have often asked him, what must all his people think, when they heard him prayed for as their most religious king ? Some other lesser additions were made. But care was taken, that nothing should be altered, as it had been moved by the presbyterians ; for it was resolved to gratify them in nothing. One important addition was made, chiefly by Gawden's men : he pressed that a declaration, explaining the reasons of their kneeling at the sacrament, which had been in king Edward's liturgy, but was left out in queen Elizabeth's time, should be again set where it had once been. The papists were highly offended, when they saw such an express declaration made against the real presence, and the duke told me, that when he asked Sheldon how they came to declare against a doctrine, which he had been instructed was the doctrine of the church, Sheldon answered, "ask Gawden about it, who is a bishop of your own making : " for the king had ordered his promotion for the service he had done. The convocation that prepared those alterations, as they added some new holy days, St. Barnabas, and the conversion of St. Paul, so they took in more lessons out of the Apocrypha, in particular the story of Bel and the Dragon : new offices were also drawn for two new days, the thirtieth of January, called king Charles the Martyr, and the twenty-ninth of May, the day of the king's birth and return. Sancroft drew for these some offices of a very high strain. Yet others of a more moderate strain were preferred to them. But he, coming to be advanced to the see of Canterbury, got his offices to be published by the king's authority, in a time when so high a style as was in them did not sound well in the nation. Such care was taken in the choice and returns of the members of the convocation, that every thing went among them as was directed by Sheldon and Morley. When they had prepared all their alterations, they offered them to the king, who sent them to the house of commons, upon which the act of uniformity was prepared by Keeling, afterwards lord chief justice.

When it was brought into the house, many did apprehend that so severe an act might have ill effects, and began to abate of their first heat : upon which reports were spread, and much aggravated as they were reported to the house of commons, of the plots of the presbyterians in several counties. Many were taken up on those reports : but none were ever tried for them. So, the thing being let fall, it has been given out since, that these were forged by the

\* Burnet is incorrect if he considered the words, "our most religious king," were now for the first time introduced in the liturgy. They are in the prayer for the parliament used in 1625.

direction of some hot spirits, who might think such arts were necessary to give an alarm, and, by rendering the party odious, to carry so severe an act against them. The lord Clarendon himself was charged as having directed this piece of artifice: but I could never see any ground for fastening it on him: though there were great appearances of foul dealing among some of the fiercer sort. The act passed by no great majority: and by it, all who did not conform to the liturgy by the twenty-fourth of August, St. Bartholomew's day, in the year 1662, were deprived of all ecclesiastical benefices, without leaving any discretionary power with the king in the execution of it, and without making provision for the maintenance of those who should be so deprived: a severity neither practised by queen Elizabeth in the enacting her liturgy, nor by Cromwell in ejecting the royalists, in both which a fifth part of the benefice was reserved for their subsistence. St. Bartholomew's day was pitched on, that, if they were then deprived, they should lose the profits of the whole year, since the tithes are commonly due at Michaelmas. The presbyterians remembered what a St. Bartholomew's had been held at Paris ninety years before, which was the day of that massacre, and did not stick to compare the one to the other. The Book of Common Prayer with the new corrections was that to which they were to subscribe: but the corrections were so long a preparing, and the vast number of copies, above two thousand, that were to be wrought off for all the parish churches of England, made the impression go on so slowly, that there were few books set out to sale when the day came. So, many that were affected to the church, but that made conscience of subscribing to a book that they had not seen, left their benefices on that very account. Some made a journey to London on purpose to see it. With so much precipitation was that matter driven on, that it seemed expected that the clergy should subscribe implicitly to a book they had never seen. This was done by too many, as I was informed by some of the bishops: but the presbyterians were now in great difficulties; they had many meetings, and much disputing about conformity. Reynolds accepted of the bishopric of Norwich: but Calamy and Baxter refused the sees of Lichfield and Hereford. And about two thousand of them fell under the parliamentary deprivation, as they gave out. The numbers have been much controverted. This raised a grievous outcry over the nation, though it was less considered at that time than it would have been at any other. Baxter told me, that had the terms of the king's declaration been stood to, he did not believe that above three hundred of these would have been so deprived. Some few, and but few, of the episcopal party were troubled at this severity, or apprehensive of the very ill effects it was like to have. Here were many men, much valued, some on better grounds, and others on worse, who were now cast out ignominiously, reduced to great poverty, provoked by much spiteful usage, and cast upon those popular practices that both their principles and their circumstances seemed to justify, of forming separate congregations, and of diverting men from the public worship, and from considering their successors as the lawful pastors of those churches in which they had served. The blame of all this fell heaviest on Sheldon. The earl of Clarendon was charged with his having entertained the presbyterians with hopes and good words, while he was all the while carrying on, or at least giving way, to the bishop's project. When the convocation had gone through the Book of Common Prayer, it was in the next place proposed, that, according to a clause in the king's licence, they should consider the canons of the church. They had it then in their power to have reformed many abuses, and particularly to have provided an effectual remedy to the root of all those, which arise from the poor maintenance that is reserved to the incumbents. Almost all the leases of the church estates over England were fallen in, there having been no renewal for twenty years. The leases for years were determined; and the wars had carried off so many men, that most of the leases for lives were fallen into the incumbents' hands; so that the church estates were in them: and the fines raised by the renewing the leases rose to about a million and a half. It was an unreasonable thing to let those who were now promoted carry off so great a treasure. If the half had been applied to the buying of tithes or glebes for small vicarages, here a foundation had been laid down for a great and effectual reformation. In some sees forty or fifty thousand pounds were raised, and applied to the enriching the bishops' families. Something was done to churches and colleges, in particular to St. Paul's in London; and a noble collection was made for

redeeming all the English slaves that were in any part of Barbary. But this fell far short of what might have been expected. In this the lord Clarendon was heavily charged, as having shewn that he was more the bishops' friend than the church's. It is true the law made those fines belong to the incumbents; but such an extraordinary occasion deserved that a law should have been made on purpose. What the bishops did with those great fines was a pattern to all the lower dignitaries, who generally took more care of themselves than of the church. The men of merit and service were loaded with many livings and many dignities. With this great accession of wealth there broke in upon the church a great deal of luxury and high living, on the pretence of hospitality: while others made purchases, and left great estates, most of which we have seen melt away. And with this overset of wealth and pomp, that came on men in the decline of their parts and age, they, who were now growing into old age, became lazy and negligent in all the true concerns of the church; they left preaching and writing to others, while they gave themselves up to ease and sloth. In all which sad representation some few exceptions are to be made; but so few, that, if a new set of men had not appeared of another stamp, the church had quite lost her esteem over the nation.

These were generally of Cambridge, formed under some divines, the chief of whom were Drs. Whichcot, Cudworth, Wilkins, More, and Worthington. Whichcot was a man of a rare temper, very mild and obliging. He had great credit with some that had been eminent in the late times, but made all the use he could of it to protect good men of all persuasions. He was much for liberty of conscience; and being disgusted with the dry systematical way of those times, he studied to raise those who conversed with him to a nobler set of thoughts, and to consider religion as a seed of a deiform nature (to use one of his own phrases.) In order to this, he set young students much on reading the ancient philosophers, chiefly Plato, Tully, and Plotin, and on considering the Christian religion as a doctrine sent from God, both to elevate and sweeten human nature, in which he was a great example, as well as a wise and kind instructor\*. Cudworth carried this on with a great strength of genius, and a vast compass of learning. He was a man of great conduct and prudence; upon which his enemies did very falsely accuse him of craft and dissimulation†. Wilkins was of Oxford, but removed to Cambridge. His first rise was in the elector palatine's family, when he was in England: afterwards he married Cromwell's sister; but made no other use of that alliance, but to do good offices, and to cover the university from the sourness of Owen and Goodwin. At Cambridge he joined with those who studied to propagate better thoughts, to take men off from being in parties, or from narrow notions, from superstitious conceits, and a fierceness about opinions. He was also a great observer and a promoter of experimental philosophy, which was then a new thing, and much looked after. He was naturally ambitious, but was the wisest clergyman I ever knew. He was a lover of mankind, and had a delight in doing good‡. More was an open-hearted and

\* Dr. Benjamin Whichcot is mentioned by Baxter as "one of the best and ablest of the conformists;" Dr. Tillotson preached his funeral sermon; the earl of Shaftesbury, author of the "Characteristics;" Archdeacon Jeffery, and Dr. Samuel Clarke edited his "Discourses." An individual admired by men so variously talented, and so differing in opinions, must have had some peculiar charm—this was his mildness and sweetness of temper, which, united with a very exalted opinion of Christianity, rendered him superior to that narrow-minded Phariseism, that has no charity for those beyond its sect. He died at the house of his friend, Dr. Cudworth, in 1683, aged seventy-four.—General and Grainger's Biographical Dictionary.

† Dr. Ralph Cudworth is justly said by Mr. Grainger, to hold the same rank in metaphysics that Dr. Isaac Barrow does in sublime geometry. Dr. Cudworth was a man of vast learning, and acute reasoning powers, which he admirably and most opportunely directed for the defence of Christianity against the atheistical doctrines of Hobbes. During the predominance of the parliament and the puri-

tanical sectarians, the press and pulpit teemed with such nonsensical and enthusiastic cant, that the whole community by degrees grew wearied of such absurdities. Human nature being prone to extremes, readily listened to those reasoners, who, professing to appeal to men's common sense, declared that they would demonstrate the whole system to be mere delusion and priestcraft. Cromwell and his supporters were partly religious enthusiasts and partly hypocrites; Charles the Second and his courtiers were profligates and despisers of every serious consideration: they set the example of general licentiousness, and patronized all those who taught that a day of reckoning would never come. Taking their own weapons, Cudworth met them with logical and sound reasoning in his well-known work, "The Intellectual System of the Universe;" a work to which praise can add nothing, because it is universally allowed of immense learning, and sound reasoning. There is a good memoir of him, and an analysis of his works, in Kippis's edition of the "Biographia Britannica." He was born in 1617, and died aged seventy-one.

‡ Dr. John Wilkins is acknowledged, even by Anthony



sincere Christian philosopher, who studied to establish men in the great principles of religion against atheism, that was then beginning to gain ground, chiefly by reason of the hypocrisy of some, and the fantastical conceits of the more sincere enthusiasts\*.

Hobbes, who had long followed the court, and passed there for a mathematical man, though he really knew little that way, being disgusted by the court, came into England in Cromwell's time, and published a very wicked book, with a very strange title, *The Leviathan*. His main principles were, that all men acted under an absolute necessity, in which he seemed protected by the then received doctrine of absolute decrees. He seemed to think that the universe was God, and that souls were material, thought being only subtle and imperceptible motion. He thought interest and fear were the chief principles of society: and he put all morality in the following that, which was our own private will, or advantage. He thought religion had no other foundation than the laws of the land; and he put all the law in the will of the prince, or of the people: for he wrote his book at first in favour of absolute monarchy, but turned it afterwards to gratify the republican party. These were his true principles, though he had disguised them, in order to catch unwary readers. And this set of notions came to spread much. The novelty and boldness of them set many on reading them. The impiety of them was acceptable to men of corrupt minds, which were but too much prepared to receive them, by the extravagancies of the late times†. So this set of men at Cambridge studied to assert, and examine the principles of religion and morality on clear grounds, and in a philosophical method. In this More led the way to many that came after him. Worthington was a man of eminent piety and great humility, and practised a most sublime way of self-denial and devotion‡. All these, and those who were formed under them, studied to examine farther into the nature of things than had been done formerly. They declared against superstition on the one hand, and enthusiasm on the other. They loved the constitution of the church, and the liturgy, and could well live under them; but they did not think it unlawful to live under another form. They wished that things might have been carried with more moderation, and they continued to

Wood, to have been endowed with rare mental gifts. He was celebrated as a theologian and preacher; was an excellent mathematician, astronomer, and experimentalist; and a great promoter of natural, or, as it was then termed, "new," philosophy. It was at his rooms in Wadham college, Oxford, that those promoters of experimental science first met, who were afterwards incorporated as "The Royal Society of London."—Sprat's Hist. of the Royal Society, p. 53. Although Dr. Wilkins was a great advocate for that only correct mode of acquiring a knowledge of Nature, which Bacon has well termed "asking her questions," that is, making experimental researches, yet he had many wild theoretical ideas. In one of his works, entitled, "The Discovery of a New World, and the Possibility of a Passage thither;" he maintains the reasonableness of being able to travel to the moon. "Doctor," said the duchess of Newcastle to him, "where am I to find a place for bailing at, in the way up to that planet?"—"Madam," replied Wilkins, "of all the people in the world, I never expected that question from you, who have built so many castles in the air, that you may be every night at one of your own." The sister of the protector, whom the doctor married, was Robina, widow of Dr. French. He was born in 1614, and died in 1672. Grainger describes him as born for the improvement of every kind of knowledge to which he applied himself, and as being a person truly exemplary as well as extraordinary. Anecdotes of his integrity will appear in other pages of this work.—Biographia Britannica.—Wood's Athenæ Oxon. &c.

\* Dr. Henry More was a most amiable philosopher, a most exemplary Christian, and consequently one of the best men of his, or any other age. His talented friend, Mr. Norris, happily styled him "the intellectual epicure." His poetical works are more than sufficiently bad, and perhaps merit the satire of Dr. Garth, who speaks of

them as coming "entire" from the grocer's store of waste paper; but his "System of Ethics" is of a very high degree of merit: having this proof of unobjectionable excellence, that it was admired by the Christian Addison and the infidel Hobbes. Mr. Grainger has justly observed, that it is more natural than is usually imagined for the human mind to fly from one extreme to its opposite. Many are the instances of unbelievers finally becoming Papists; and Hobbes said, that "if his own philosophy was not true, he knew none that he should sooner like than More's of Cambridge."

Dr. More was amiable in all the relations of life, and so unambitious, that he declined the highest ecclesiastical preferments; and even resigned his prebendal stall in favour of Dr. Fowler. He was born in 1614, and died in 1687.—Ward's Life of Dr. More.—Grainger's Biog. Hist., &c.

† Of Thomas Hobbes, I shall add nothing to what is said in the text but an expression of regret that a mind so gifted was not applied to benefit and improve rather than to debase his fellow men. He was a sceptic in religion; immoral in his philosophy; wavering in his politics; and a dogmatist in every thing. A scoffer at Christianity, and at the belief of a future state; yet he is known to have frequently been a partaker of the eucharist; and to have been fearful of spectral appearances. So difficult is it to be consistent. He died in 1679, aged ninety:—Biograph. Britann.—Wood's Athenæ —Grainger's Biog. Hist.

‡ Dr. John Worthington never obtained higher preferment than the mastership of Jesus' college, Cambridge, and the rectory of Ingoldsby, Lincolnshire. He was the author of several works that are distinguished for their good sense and piety. He was born in 1618, and died in 1671.—Birch's Life of Tillotson.—Wood's Fasti, Oxon.

keep a good correspondence with those who had differed from them in opinion, and allowed a great freedom both in philosophy and in divinity: from whence they were called men of latitude. And upon this men of narrower thoughts and fiercer tempers fastened upon them the name of *Latitudinarians*. They read *Episcopius* much. And the making out the reasons of things being a main part of their studies, their enemies called them *Socinians*. They were all very zealous against popery: and so, they becoming soon very considerable, the papists set themselves against them to deery them as atheists, deists, or at best socinians. And now that the main principle of religion was struck at by Hobbes and his followers, the papists acted upon this a very strange part. They went in so far even into the argument for atheism, as to publish many books, in which they affirmed, that there was no certain proof of the christian religion, unless we took it from the authority of the church as infallible. This was such a delivering up of the cause to them, that it raised in all good men a very high indignation at popery; that party shewing, that they chose to make men, who would not turn papists, become atheists, rather than believe christianity upon any other ground than infallibility.

The most eminent of those, who were formed under those great men I have mentioned, were Tillotson, Stillingfleet, and Patrick. The first of these was a man of a clear head, and a sweet temper; he had the brightest thoughts, and the most correct style of all our divines, and was esteemed the best preacher of the age. He was a very prudent man, and had such a management with it, that I never knew any clergyman so universally esteemed and beloved, as he was for above twenty years. He was eminent for his opposition to Popery. He was no friend to persecution, and stood up much against Atheism. Nor did any man contribute more to bring the city to love our worship than he did. But there was so little superstition, and so much reason and gentleness in his way of explaining things, that malice was long levelled at him, and in conclusion broke out fiercely on him\*. Stillingfleet was a man of much more learning, but of a more reserved, and a haughtier temper. He in his youth wrote an *Irenicum* for healing our divisions, with so much learning and moderation, that it was esteemed a master-piece. His notion was, that the apostles had settled the church in a constitution of bishops, priests, and deacons; but had made no perpetual law about it, having only taken it in, as they did many other things, from the customs and practice of the synagogue; from which he inferred, that certainly the constitution was lawful since authorised by them, but not necessary, since they had made no settled law about it. This took with many; but was cried out upon by others as an attempt against the church. Yet the argument was managed with so much learning and skill, that none of either side ever undertook to answer it. After that, he wrote against infidelity, beyond any that had gone before him. And then he engaged to write against popery, which he did with such an exactness and liveliness, that no books of controversy were so much read and valued as his were. He was a great man in many respects. He knew the world well, and was esteemed a very wise man. The writing of his *Irenicum* was a great snare to him: for, to avoid the imputations which that brought upon him, he not only retracted the book, but he went into the humours of a high sort of people, beyond what became him, perhaps beyond his own sense of things. He applied himself much to the study of the law and records, and the original of our constitution, and was a very extraordinary man†. Patrick

\* Dr. John Tillotson is an example of genius triumphing over the most complicated difficulties. He was the son of a rigid Calvinist, a Yorkshire clothier; many of his relatives were quakers; he was a nephew, by marriage, of Oliver Cromwell; and he had no influential friends. The character of Dr. Tillotson may be justly estimated from the following anecdote, for throughout his life, he always upheld the essentials of our faith in preference to its ecclesiastical forms. Dr. Beveridge objected to reading a brief in Canterbury cathedral for the benefit of the distressed Protestant refugees, because it was contrary to the rubric. "Doctor, doctor," replied Tillotson, "Charity is above rubrics."—*Lady Russel's Letters*. It is an attestation of his genuine piety, that he died in the arms of Mr. Nelson, the author of a well-known work upon our church's

"Fasts and Festivals." King William always spoke of him affectionately, and declared "he never had a better friend." Several notices of him will be found in future pages. A good "Life of Archbishop Tillotson" was published by Dr. Birch. He introduced the custom of preaching from notes.

† Dr. Edward Stillingfleet may be considered as owing his advancement entirely to the great merits of his publications. It is true that he had a living, Sutton, in Bedfordshire, given to him by Sir Roger Burgoyne, before he was known as an author; but it was his "*Irenicum*," intended to heal the differences between the episcopalians and nonconformists; his "*Origines Sacre*;" his "*Rational Account of the Protestant Religion*," and his "*Origines Britannicæ, or the Antiquities of the British Churches*,"

was a great preacher. He wrote much, and well, and chiefly on the Scriptures. He was a laborious man in his function, of great strictness of life, but a little too severe against those who differed from him. But that was, when he thought their doctrines struck at the fundamentals of religion. He became afterwards more moderate\*. To these I shall add another divine, who, though of Oxford, yet as he was formed by bishop Wilkins, so he went into most of their principles, but went far beyond them in learning. Lloyd was a great critic in the Greek and Latin authors, but chiefly in the Scriptures; of the words and phrases of which he carried the most perfect concordance in his memory, and had it the readiest about him, of all men that ever I knew. He was an exact historian, and the most punctual in chronology of all our divines. He had read the most books, and with the best judgment, and had made the most copious abstracts out of them, of any in this age: so that Wilkins used to say, he had the most learning in ready cash of any he ever knew. He was so exact in every thing he set about, that he never gave over any part of study till he had quite mastered it: but when that was done, he went to another subject, and did not lay out his learning with the diligence with which he laid it in. He had many volumes of materials upon all subjects laid together in so distinct a method, that he could with very little labour write on any of them. He had more life in his imagination, and a truer judgment, than may seem consistent with such a laborious course of study. Yet, as much as he was set on learning, he had never neglected his pastoral care. For several years he had the greatest cure in England, St. Martin's, which he took care of with an application and diligence beyond any about him: to whom he was an example, or rather a reproach, so few following his example. He was a holy, humble, and patient man, ever ready to do good when he saw a proper opportunity: even his love of study did not divert him from that. He did upon his promotion find a very worthy successor in his cure, Tennison, who carried on, and advanced all those good methods that he had begun, in the management of that great cure. He endowed schools, set up a public library, and kept many curates to assist him in his indefatigable labours among them. He was a very learned man, and took much pains to state the notions and practices of heathenish idolatry, and so to fasten that charge on the church of Rome. And, Whitehall lying within that parish, he stood as in the front of the battle all king James's reign; and maintained, as well as managed, that dangerous post with great courage and much judgment, and was held in very high esteem for his whole deportment, which was ever grave and moderate†. These have been the greatest divines we have had these forty years: and may we ever have a succession of such men, to fill the room of those who have already gone off the stage, and of those who, being now very old, cannot hold their posts long. Of these I have written the more fully, because I knew them well, and have lived long in great friendship with them; but most particularly with Tillotson and Lloyd. And, as I am sensible I owe a great deal of the consideration that has been had for me, to my being known to be their friend, so I have really learned the

what gradually gained him promotion terminating in the bishopric of Worcester. When Tillotson died, queen Mary wished to translate Stillingfleet to the primacy, but an ill-regulated policy substituted Dr. Tennison. Stillingfleet was neglected upon the pretence that his age rendered him unequal to the official duties. Some time after, archbishop Tennison entered a room where Stillingfleet was sitting, the latter remained upon his chair, wittily observing, "You know I am too old to rise." He was only sixty-four when he died, in 1699. He was remarkably handsome, and manly in his person, and this coinciding with the piety of his mind, obtained for him the hardly justifiable appellation of "the beauty of holiness."—*Biograph. Britann.*—Noble's Continuation of Grainger.

\* Dr. Simon Patrick was one of those rarely occurring characters that never swerve from the course to which they feel their duty directs them. He was the incumbent of St. Paul's, Covent Garden, at the time the plague was ravaging London, but he refused to leave his parishioners in this time of danger and sorrow. He was zealous, yet discreet, in writing against the errors of popery, and when

king James tried to induce him to cease from this proceeding, he firmly replied, that "he could not desert the cause of a religion so well proved as that of the Protestants." His Commentaries upon the Scriptures, and his polemical works are all excellent. All authorities agree in representing him as learned, indefatigable, and pious. Several occasions to notice him will occur in subsequent pages. He died in 1707, aged eighty-one.—*Biograph. Brit.*—Wood's *Fasti*—Grainger and Noble.

† Dr. William Lloyd, successively bishop of St. Asaph and Worcester, is generally allowed to have merited all the eulogium passed upon him in the text. It is to be lamented that one so replete with knowledge should have so much employed himself with polemical controversy, a species of literature the most ephemeral. He had done much in collecting materials for a "History of the English Church," but he gave them to our author, and contented himself with supervising the work of which they were the basis, "The History of the Reformation." He was born in 1627, and died in 1717. Frequent notices of him will occur hereafter.—Wood's *Athenæ Oxon.*; *Biograph. Brit.*



best part of what I know from them. But I owed them much more on the account of those excellent principles and notions, of which they were in a particular manner communicative to me. This set of men contributed more than can be well imagined to reform the way of preaching; which among the divines of England before them was overrun with pedantry, a great mixture of quotations from fathers and ancient writers, a long opening of a text with the concordance of every word in it, and a giving all the different expositions with the grounds of them, and the entering into some parts of controversy, and all concluding in some, but very short, practical applications, according to the subject, or the occasion. This was both long and heavy, when all was piebald, full of many sayings of different languages. The common style of sermons was either very flat and low, or swelled up with rhetoric to a false pitch of a wrong sublime. The king had little or no literature, but true and good sense; and had got a right notion of style; for he was in France at a time when they were much set on reforming their language. It soon appeared that he had a true taste. So this helped to raise the value of these men, when the king approved of the style their discourses generally ran in; which was clear, plain, and short. They gave a short paraphrase of their text, unless where great difficulties required a more copious enlargement; but even then they cut off unnecessary shews of learning, and applied themselves to the matter, in which they opened the nature and reasons of things so fully, and with that simplicity, that their hearers felt an instruction of another sort, than had commonly been observed before. So they became very much followed: and a set of these men brought off the city in a great measure from the prejudices they had formerly to the church.

There was a great debate in council, a little before St. Bartholomew's-day, whether the act of uniformity should be punctually executed, or not. Some moved to have the execution of it delayed to the next session of parliament: others were for executing it in the main, but to connive at some eminent men, and to put curates into their churches to read and officiate according to the common prayer, but to leave them to preach on, till they should die out. The earl of Manchester laid all these things before the king with much zeal, but with no great force. Sheldon on the other hand pressed the execution of the law. England was accustomed to obey laws; so while they stood on that ground, they were safe, and need fear none of the dangers that seemed to be threatened: he also undertook to fill all the vacant pulpits that should be forsaken in London, better and more to the satisfaction of the people than they had been before: and he seemed to apprehend that a very small number would fall under the deprivation, and that the gross of the party would conform. On the other hand, those who led the party took great pains to have them all stick together. They infused it into them, that if great numbers stood out, that would shew their strength, and produce new laws in their favour; whereas they would be despised, if, after so much noise made, the greater part of them should conform. So it was thought that many went out in the crowd to keep their friends company. Many of these were distinguished by their abilities and zeal. They cast themselves upon the providence of God, and the charity of their friends, which had a fair appearance, as of men that were ready to suffer persecution for their consciences. This begot esteem, and raised compassion: whereas the old clergy, now much enriched, were as much despised: but the young clergy that came from the universities did good service. Learning was then high at Oxford, chiefly the study of the oriental tongues, which was much raised by the Polyglot bible, then lately set forth. They read the fathers much there. Mathematics and the new philosophy were in great esteem. And the meetings that Wilkins had begun at Oxford were now held in London too, in so public a manner, that the king himself encouraged them much, and had many experiments made before him.

The men that formed the Royal Society in London were sir Robert Murray, the lord Brouncker, a profound mathematician, and Doctor Ward, soon after promoted to Exeter, and afterwards removed to Salisbury. Ward was a man of great reach, went deep in mathematical studies, and was a very dexterous man, if not too dexterous; for his sincerity was much questioned. He had complied during the late times, and held in by taking the covenant: so he was hated by the high men as a time-server. But the lord Clarendon saw, that most of the bishops were men of merit by their sufferings, but of no great

capacity for business. He brought Ward in as a man fit to govern the church : for Ward, to get his former errors to be forgotten, went into the high notions of a severe conformity, and became the most considerable man on the bishop's bench. He was a profound statesman, but a very indifferent clergyman \*. Many physicians and other ingenious men went into the Society for natural philosophy. But he who laboured most, at the greatest charge, and with the most success at experiments, was Robert Boyle, the earl of Cork's youngest son. He was looked on by all who knew him, as a very perfect pattern. He was a very devout Christian, humble and modest, almost to a fault, of a most spotless and exemplary life in all respects. He was highly charitable ; and was a mortified and self-denied man, that delighted in nothing so much as in the doing good. He neglected his person, despised the world, and lived abstracted from all pleasures, designs, and interests. I preached his funeral sermon, in which I gave his character so truly, that I do not think it necessary now to enlarge more upon it †. The Society for Philosophy grew so consider-

\* Dr. Seth Ward was the first who caused the study of mathematics to be much attended to at Cambridge. He was succeeded in his lectureship by Dr. Barrow and sir Isaac Newton. Burnet seems to be in error when he states that Dr. Ward took the covenant ; for other authorities say that he refused, and was in consequence ejected from a fellowship of Sidney College, Cambridge. However, he swore to be faithful to the commonwealth, in which he was justified, for it was then the established government. It is needless to follow him through his various preferments. He died in 1689, aged seventy-one, bishop of Salisbury. His mind failed some months before his death, a deprivation that is believed to have been brought on by a dispute, in which he was involved with the dean of his bishopric.—Pope's Life of Ward ; Wood's *Athenæ Oxon.* Burnet is too severe upon him in terming him "a very indifferent clergyman." He was pious and very charitable.

† Robert Boyle was gifted with a genius which no unfavourable circumstances could repress—pleasures failed in alluring his mind from science as completely as poverty would have been unable to depress it. He was the only son of the family who attained to manhood without the reward of a peerage ; yet by universal consent he is declared to be the greatest of his kindred. "He was a *Boyle*," said one of his family, "but we are mere *Pimples*."

He was the fourteenth child of the earl of Cork, usually distinguished as "the great," and born at Lismore, in Ireland, on the 25th of February, 1627. Talented even in infancy, he was fit for Eton school when he was only eight years old ; and he repeatedly declared, that its master, Mr. Harrison, was the means of cherishing by his kindness and attention, that desire of knowledge which ever characterised him ; and it is equally worthy of remark, that he often enthusiastically affirmed that it was the reading of Quintus Curtius that created that relish for learning which Mr. Harrison aided in encouraging. At an early period of life he doubted the truth of Christianity, but not being of the number of those who dare to treat it as a subject of secondary consideration, he applied his great mind to the examination of its momentous topics ; and concluded by attaining such firm conviction of its veracity, that he spent very large sums in the translation of the Scriptures into foreign languages, and acquired such a veneration for the Deity, that he never uttered his name without pausing.

He travelled for several years upon the continent, assiduously applying at the same time to the study of modern languages and mathematics ; but upon acquiring under his father's will the Stalbridge estate, he retired thither in 1646, cultivating his mind, and acquiring an acquaintance with the learned men of his times. He was one of the first members of the philosophical college, which eventually ripened into the Royal Society of London, but which

at that period held its meetings so quietly and retiredly, that Boyle was accustomed to call it the *Invisible*. Whilst at Oxford, in 1658, with the assistance of Mr Hooke, he perfected the air-pump, a machine, the invention of which may be said to have created the science of pneumatics. Otto Guericke was the first who publicly suggested the idea of exhausting a vessel of air by means of a sucking pump, though Boyle assures us he had previously made similar trials. This attempt was rude in the extreme, and the chief experiment Guericke tried was the exhausting two hemispheres whose edges were made accurately to correspond, and which then, from the pressure of the atmosphere, required considerable force to be separated. This, from the place of Guericke's residence, was called the Magdeburg experiment. It was first made publicly known in 1654, and was justly considered so important a discovery, as first demonstrating the pressure of the atmosphere, that it was exhibited at the Diet at Ratisbon in the presence of the foreign ministers, and the deputies of the empire.

Boyle's first literary efforts were in the cause of religion, and so highly was he esteemed for his performances, as well as for his strict morality, that some of the chief officers of the government, especially lord Clarendon, urged him to enter into orders ; but from conscientious motives he declined, at the same time declaring that, as a layman, he thought his exertions in favour of religion would be more influential.

It was well observed of Boyle, that, being born the same year that lord Bacon died, he seemed by nature to have been designed as his successor ; and it is certain that he was as strenuous an opponent of the Aristotelian and Cartesian philosophy, as he was the advocate of the philosophy of experiment. Public honours appear to have had a much inferior value in his estimation than leisure for study and the acquirement of knowledge. Dignities in the church, the provostship of Eton, and even the presidency of the Royal Society, were offered to him in vain. He settled finally in London in 1669, at the house of his sister lady Ranelagh, in Pall Mall, devoting stated periods of each day to his correspondence, to the reception of scientific visitors, and to his experiments and writings for the press. In 1688 he found his health so declining, that he publicly announced his inability to receive visitors, and applied with additional ardour to complete some of his works then unfinished ; thus labouring, notwithstanding the natural sickness of his constitution and the agonies of a calculous disorder, he continued until his foot was upon the retiring threshold of life, for his eyes did not fail until within four hours of his death, three hours only previously to which was he confined to his bed. It occurred on the 31st of December 1691.

If the editor was writing a particular biography of this eminently talented and good man, he would be an undeter-

able, that they thought fit to take out a patent, which constituted them a body, by the name of the Royal Society: of which sir Robert Murray was the first president, bishop Ward the second, and the lord Brouncker the third \*. Their history is written so well by Doctor Sprat, that I will insist no more on them, but go on to other matters.

After St. Bartholomew's day, the dissenters, seeing both court and parliament were so much set against them, had much consultation together what to do. Many were for going over to Holland, and settling there with their ministers. Others proposed New England, and the other plantations. Upon this the earl of Bristol drew to his house a meeting of the chief papists in town: and after an oath of secrecy, he told them, now was the proper time for them to make some steps towards the bringing in of their religion: in order to that it seemed advisable for them to take pains to procure favour to the nonconformists; (for that became the common name to them all, as puritan had been before the war:) they were the rather to bestir themselves to procure a toleration for them in general terms, that they themselves might be comprehended within it. The lord Aubigny seconded the motion. He said it was so visibly the interest of England to make a great body of the trading men stay within the kingdom, and be made easy in it, that it would have a good grace in them to seem zealous for it: and, to draw in so great a number of those who had been hitherto the hottest against them, to feel their care, and to see their zeal to serve them, he recommended to them to make this the subject of all their discourses, and to engage all their friends in the design. Bennet did not meet with them, but was known to be of the secret; as the lord Stafford told me in the Tower a little before his death. But that lord soon withdrew from those meetings; for he apprehended the earl of Bristol's heat, and that he might raise a storm against them by his indiscreet meddling.

The king was so far prevailed on by them, that in December, 1662, he set out a declaration, that was generally thought to be procured by the lord Bristol; but it had a deeper root, and was designed by the king himself. In it the king expressed his aversion to all severities on the account of religion, but more particularly to all sanguinary laws; and gave hopes both to papists and nonconformists, that he would find out such ways for tempering the severities of the laws, that all his subjects should be easy under them. The wiser of the nonconformists saw at what all this was aimed, and so received it coldly; but the papists went on more warmly, and were preparing a scheme for a toleration for them. And one part of it raised great disputes among themselves. Some were for their taking the oath of allegiance, which renounced the pope's deposing power: but all those that were under a management from Rome refused this. And the internuncio at Brussels proceeded to censure those that were for it, as enemies to the papal authority. A proposition was also made for having none but secular priests tolerated in England, who should be under a bishop, and under an established government. But that all the regulars, in particular all Jesuits, should be, under the strictest penalties, forbidden the kingdom.

The earl of Clarendon set this on, for he knew well it would divide the papists among themselves; but, though a few honest priests, such as Blacklow, Serjeant, Caron, and Walsh were for it, yet they could not make a party among the leading men of their own side. It was pretended, that this was set on foot with a design to divide them, and so to break their strength. The earl of Clarendon knew that Cardinal de Retz, for whom he saw the king had a particular esteem, had come over incognito, and had been with the king in private. So to let the king see how odious a thing his being suspected of popery would be, and what a load it would lay on his government if it came to be believed, he got some of his party, as sir Allen Brodrick told me, to move in the house of commons for an act

mined as Boerhaave, which of his works to select for especial praise. "Which," says he, "of all Mr. Boyle's writings shall I recommend?—All of them." He published a work, entitled "The Christian Virtuoso," and in that, unintentionally, he has delineated his own character, for in him exalted Christian piety and extensive learning were combined. Those who desire to know more concerning this admirable man, will be gratified by consulting his "Life," written by Dr. Birch, and the *Biographia Britannica*. When

Dr. Burnet was engaged in preparing his "History of the Reformation," Mr. Boyle not only furnished him with information, but contributed towards defraying the expense of its publication.

\* The charter bears the date of April 22nd, 1663. See an account of it in the work noticed by Burnet, entitled "The History of the Royal Society of London. By Thomas Sprat." But a far better biography of the Society is that by Dr. Thomas Birch.



rendering it capital to say the king was a papist. And, whereas the king was made to believe that the old cavaliers were become milder with relation to popery, the lord Clarendon upon this new act inferred, that it still appeared that the opinion of his being a papist would so certainly make him odious, that for that reason the parliament had made the spreading those reports so penal. But this was taken by another handle, while some said, that this act was made on purpose, that, though the design of bringing in popery should become ever so visible, none should dare to speak of it. The earl of Clarendon had a quite contrary design in it, to let the king see how fatal the effects of any such suspicions were like to be. When the earl of Bristol's declaration was proposed in council, lord Clarendon and the bishops opposed it: but there was nothing in it directly against law, hopes being only given of endeavours to make all men easy under the king's government: so it passed. The earl of Bristol carried it as a great victory. And he, with the duke of Buckingham, and all lord Clarendon's enemies, declared openly against him. But the poor priests who had made those honest motions, were very ill looked on by all their own party, as men gained on design to betray them. I knew all this from Peter Walsh himself, who was the most honest and most learned man I ever knew among them. He was of Irish extraction, and of the Franciscan order; and was, indeed, in all points of controversy, almost wholly Protestant: but he had senses of his own, by which he excused his adhering to the church of Rome; and he maintained, that with these he could continue in the communion of that church without sin. And he said, that he was sure he did some good staying still on that side, but that he could do none at all if he should come over. He thought no man ought to forsake that religion in which he was born and bred, unless he was clearly convinced that he must certainly be damned if he continued in it. He was an honest and able man, much practised in intrigues, and knew well the methods of the Jesuits, and other missionaries. He told me often, there was nothing which the whole popish party feared more than an union of those of the church of England with the presbyterians; they knew we grew the weaker, the more our breaches were widened; and that the more we were set against one another, we would mind them the less. The papists had two maxims, from which they never departed: the one was to divide us, and the other was to keep themselves united, and either to set on an indiscriminated toleration, or a general prosecution; for so we loved to soften the harsh word of persecution. And he observed, not without great indignation at us for our folly, that we, instead of uniting among ourselves, and dividing them, according to their maxims, did all we could to keep them united, and to disjoint our own body: for he was persuaded, if the government had held a heavy hand on the regulars and the Jesuits, and had been gentle to the seculars, and had set up a distinguishing test, renouncing all sort of power in the pope over the temporal rights of princes, to which the regulars and the Jesuits could never submit, that this would have engaged them into such violent quarrels among themselves, that censures would have been thundered at Rome against all that should take any such test; which would have procured much disputing, and might have probably ended in the revolt of the soberer part of that church. But he found, that, though the earl of Clarendon and the duke of Ormond liked the project, little regard was had to it by the governing party in the court\*.

The church party was alarmed at all this; and though they were unwilling to suspect the king or the duke, yet the management for popery was so visible, that in the next session of parliament the king's declaration was severely arraigned, and the authors of it were plainly enough pointed at. This was done chiefly by the lord Clarendon's friends. And at this the earl of Bristol was highly displeased, and resolved to take all possible methods to ruin the earl of Clarendon. He had a great skill in astrology, and had possessed the king with a high opinion of it; and told the duke of Buckingham, as he said to the

Father Peter Walsh was a native of the county of Kildare. He became a Franciscan monk, and subsequently professor of divinity at Louvain. Being appointed procurator of the Irish clergy, he returned to his native country, where he persuaded many of his brother priests to subscribe a declaration disclaiming the Pope's temporal supremacy. The storm which this raised against him,

obliged his retreat to London. He died there in March, 1688. Henry, earl of Clarendon observes in his "Diary," "I hear that he had been reconciled, but I am told he would not retract any thing he had written. Some of his order seized his books and papers as soon as he was dead." He wrote a History of the early State of Ireland, and various other works.—Harris's Hist. of Ware.

earl of Rochester, Wilmot, from whom I had it, that he was confident that he would lay that before the king, which would totally alienate him both from his brother and from the lord Clarendon: for he could demonstrate by the principles of that art, that he was to fall by his brother's means, if not by his hand: and he was sure this would work on the king. It would so, said the duke of Buckingham, but in another way than he expected; for it would make the king be so afraid of offending him, that he would do any thing rather than provoke him. Yet the lord Bristol would lay this before the king. And the duke of Buckingham believed that it had the effect ever after, that he had apprehended; for though the king never loved nor esteemed the duke, yet he seemed to stand in some sort of awe of him.

But this was not all: the lord Bristol resolved to offer articles of impeachment against the earl of Clarendon to the house of lords, though it was plainly provided against by the statute against appeals in the reign of Henry the Fourth. Yet both the duke of Buckingham, and the lord Bristol, the fathers of these two lords, had broken through that in the former reign. So the lord Bristol drew his impeachment, and carried it to the king, who took much pains on him in a soft and gentle manner to dissuade him from it. But he would not be wrought on. And he told the king plainly, that, if he forsook him, he would raise such disorders that all England should feel them, and the king himself should not be without a large share in them. The king, as the earl of Lauderdale told me, who said he had it from himself, said, he was so provoked at this, that he durst not trust himself in answering it, but went out of the room, and sent the lord Aubigny to soften him; but all was in vain. It is very probable that the lord Bristol knew the secret of the king's religion, which both made him so bold, and the king so fearful. The next day he carried the charge to the house of lords. It was of a very mixed nature: in one part he charged the lord Clarendon with raising jealousies, and spreading reports of the king's being a papist: and yet in the other articles he charged him with correspondence with the court of Rome, in order to the making the lord Aubigny a cardinal, and several other things of a very strange nature. As soon as he put it in, he, it seems, either repented of it, or at least was prevailed with to abscond. He was ever after that looked on as a man capable of the highest extravagancies possible. He made the matter worse by a letter that he wrote to the lords, in which he expressed his fear of the danger the king was in by the duke's having of guards. Proclamations went out for discovering him; but he kept out of the way till the storm was over\*. The parliament expressed a firm resolution to maintain the act of uniformity: and the king being run much in debt, they gave him four subsidies, being willing to return to the ancient way of taxes by subsidies. But these were so evaded, and brought in so little money, that the court resolved never to have recourse to that method of raising money any more, but to betake themselves for the future to the assess-

\* The conduct of the earl of Bristol in this affair was consonant with the other extravagant acts of his life. Lord Clarendon agrees with Burnet in stating that the earl endeavoured by threats to force the king to coincide with his plans. He told his majesty "he knew well the cause of his withdrawing his favour from him; that it proceeded only from the chancellor, who governed him and managed all his affairs, whilst himself spent his time only in pleasures and debauchery." This and many other truths which ought to have been more respectfully and decently mentioned, were uttered in the presence of lord Aubigny, who was as much surprised as the king. The earl proceeded in this burst of extravagance by adding that, if satisfaction was not afforded him by his majesty within twenty-four hours, "he would do somewhat that would awaken him out of his slumber, and make him look better to his own business;" concluding with many threats against the chancellor. Charles retorted with more warmth than was customary, yet he lamented afterwards that he had not presence of mind, it being in his own closet, to call for the guard, and send the earl to the Tower. When the twenty-four hours had elapsed, the earl of Bristol appeared before the house of peers, and

after many reflections upon the ill-government of the nation, the king's loss of honour, &c., he concluded by charging the lord chancellor Clarendon of high treason. The latter defended himself successfully from the charges of his accuser; and the king told him at dinner the same day that he felt the accusation inculpated himself as much as it did the accused. The opinions of the judges were taken upon the charges, and they concurred in deciding that one peer could not exhibit a charge of high treason against another peer before the house of lords; and moreover, that all the charges did not amount to that crime. When called upon to substantiate his charges, the earl of Bristol delayed so long, that the king issued warrants to a serjeant-at-arms to apprehend him; but he absconded, and continued concealed for two years, sending occasionally letters and petitions to his majesty, who would not receive them. Finally, the countess and sir Harry Bennot prevailed with Charles to admit the earl to a private interview, but he was not allowed to come to court, nor were the warrants for his apprehension withdrawn. He did not appear publicly until Clarendon was forced into exile. — Clarendon's *Continuation of his Life*, 210; Chandler's *Debates in House of Lords*, i. 55—65.

ment begun in the war. The convocation gave at the same time four subsidies, which proved as heavy on them, as they were light on the temporality. This was the last aid that the spirituality gave: for the whole proving so inconsiderable, and yet so unequally heavy on the clergy, it was resolved on, hereafter, to tax church benefices as temporal estates were taxed; which proved indeed a lighter burden, but was not so honourable as when it was given by themselves. Yet interest prevailing above the point of honour, they acquiesced in it. So the convocations being no more necessary to the crown, this made that there was less regard had to them afterwards. They were often discontinued and prorogued: and when they met, it was only for form. The parliament did pass another act, that was very acceptable to the court, and that shewed a confidence in the king, repealing the act of triennial parliaments, which had been obtained with so much difficulty, and was clogged with so many clauses, which seemed to transfer the power from the crown to the people, that, when it was carried, it was thought the greatest security that the people had for all their other liberties. But it was now given up without a struggle, or any clauses for a certainty of parliaments, besides a general one, that there should be a parliament called within three years after the dissolution of the present parliament, and so ever afterwards, but without any severe clauses, in case the act was not observed.

As for our foreign negotiations, I know nothing in particular concerning them. Secretary Bennet had them all in his hands; and I had no confidence with any about him. Our concerns with Portugal were public; and I knew no secrets about these.

By a melancholy instance to our private family, it appeared that France was taking all possible methods to do every thing that the king desired. The commonwealth's-men were now thinking, that they saw the stream of the nation beginning to turn against the court: and upon that they were meeting, and laying plots to retrieve their lost game. One of these being taken, and apprehending he was in danger, begged his life of the king, and said, if he might be assured of his pardon, he would tell where my uncle Wariston was, who was then in Rouen; for the air of Hamborough agreed so ill with him, that he was advised to go to France; and this man was in the secret. The king sent one to the court of France, desiring he might be put in his hands; and this was immediately done. And no notice was sent to my uncle to go out of the way, as is usual in such cases, when a person is not charged with assassinations or any infamous action, but only with crimes of state. He was sent over, and kept some months in the Tower of London, and from that was sent to Scotland, as shall be told afterwards.

The design of a war with Holland was now working. I have been very positively assured by statesmen of both sides, that the French set it on in a very artificial manner; for while they encouraged us to insist on some extravagant demands, they at the same time pressed the Dutch not to yield to them: and as they put them in hopes, that, if a rupture should follow, they would assist them according to their alliance, so they assured us that they would do us no hurt. Downing was then employed in Holland, a crafty, fawning man, who was ready to turn to every side that was uppermost, and to betray those who by their former friendship and services thought they might depend on him; as he did some of the regicides, whom he got in his hands under trust, and then delivered them up. He had been Cromwell's ambassador in Holland, where he had offered personal affronts both to the king and the duke: yet he had by some base practices got himself to be so effectually recommended by the duke of Albemarle, that all his former offences were forgiven, and he was sent into Holland as the king's ambassador, whose behaviour towards the king himself the states had observed. So they had reason to conclude he was sent over with no good intent, and that he was capable of managing a bad design, and very ready to undertake it\*.

\* Sir George Downing was the son of Dr. Calybutte Downing and resembled him in character, according to Anthony Wood, being "a slider with all times and changes, well skilled in the common cant, and a preacher sometimes to boot." Clarendon says, he had been partly educated in New England. It is certain that before he had the appointment of resident in Holland, he had passed through many offices in Cromwell's army. Having

obtained his favour, he was several times elected member of the parliaments of 1654 and 1656, and married a very beautiful lady of noble extraction. Whilst in Holland, serving as Cromwell's representative, he took unnecessary occasions to annoy the exiled king, but when the protector died, and he saw the Stuart interest ascending, he took care, through the duke of Ormond, to give the king secret and highly useful information, and a tender



There was no visible cause of war. A complaint of a ship taken was ready to have been satisfied; but Downing hindered it. So it was plain, the king hated them; and fancied they were so feeble, and the English were so much superior to them, that a war would humble them to an entire submission and dependence on him in all things. The States had treated, and presented the king with great magnificence, and at a vast charge, during the time that he had staid among them, after England had declared for him. And, as far as appearances could go, the king seemed sensible of it; insomuch that the party for the prince of Orange were not pleased, because their applications to him could not prevail to make him interpose, either in the behalf of himself, or of his friends, to get the resolutions taken against him to be repealed, or his party again put in places of trust and command. The king put that off as not proper to be pressed by him at that time; but neither then nor afterwards did he bestir himself in that matter: though, if either gratitude or interest had been of force, and if these had not been overruled by some more prevalent considerations, he must have been inclined to make some returns for the services the late prince did him; and he must have seen what a figure he must make by having the prince of Orange tied to him in interest, as much as he was by blood. France and popery were the true springs of all these counsels. It was the interest of the king of France, that the armies of the States might fall under such a feebleness, that they should be in no condition to make a vigorous resistance, when he should be ready either to invade them, or to fall into Flanders, which he was resolved to do, whensoever the king of Spain should die. The French did thus set on the war between the English and the Dutch, hoping that our fleets should mutually weaken one another so much, that the naval force of France, which was increasing very considerably, should be near an equality to them, when they should be shattered by a war. The States were likewise the greatest strength of the protestant interest, and were therefore to be humbled. So, in order to make the king more considerable both at home and abroad, the court resolved to prepare for a war, and to seek for such colours as might serve to justify it. The earl of Clarendon was not let into the secret of this design, and was always against it: but his interest was now sunk low, and he began to feel the power of an imperious mistress over an amorous king, who was so disgusted at the queen, that he abandoned himself wholly to amour and luxury.

This was, as far as I could penetrate into it, the state of the court for the first four years after the Restoration. I was in the court a great part of the years 1662, 1663, and 1664; and was as inquisitive as I could possibly be, and had more than ordinary occasions to hear and see a great deal.

But now I return to the affairs of Scotland: the earl of Middleton, after a delay of some months, came up to London, and was very coldly received by the king. The earl of Lauderdale moved that a Scotch council might be called. The lord Clarendon got this to be delayed a fortnight. When it met, the lord Lauderdale accused the earl of Middleton of many malversations in the great trust he had been in, which he aggravated severely. The lord Middleton desired he might have what was objected to him in writing: and when he had it, he sent it to Scotland, so that it was six weeks before he had his answer ready; all on design to gain time. He excused some errors in point of form, by saying, that, having served in a military way, he understood not so exactly what belonged to law and form; but insisted on this, that he designed nothing, but that the king's service might go on, and that his friends might be taken care of, and his enemies be humbled, and that so loyal a parliament might be encouraged, who were full of zeal and affection to his service; that, in complying with them, he had kept every thing so entirely in his majesty's power, that the king was under no difficulties by any thing they had done. In the meanwhile Sheldon was very earnest with the king to forgive the lord Middleton's crime, otherwise he

of his services. This was unknown to the Dutch government, and it was astonished when Charles came to the Hague, previous to embarking to resume the crown, when Downing was not only received graciously, but was knighted, and continued as resident. Clarendon supports the statement of Burnet, that Downing promoted the involving England in the Dutch war. He was the repre-

sentative of Morpeth in the parliament of May, 1661. The regicides he kidnapped were Barkstead, Okey, and Carbet. Subsequently he became secretary to the treasury, a teller of the exchequer, a commissioner of customs, and a baronet. Clarendon describes him as bold, proud, insolent, and loquacious.—Wood's *Athene Oxon.*: Clarendon's Continuation of his Life.

concluded the change so newly made in the church would be so ill supported, that it must fall to the ground. The duke of Albemarle, who knew Scotland, and had more credit on that head than on any other, pretended that the lord Middleton's party was that on which the king could only rely : he magnified both their power and their zeal, and represented the earl of Lauderdale's friends as cold and hollow in the king's service : and, to support all this, the letters that came from Scotland were full of the insolencies of the presbyterians, and of the dejection the bishops and their friends were under. Sharp was prevailed on to go up. He promised to all the earl of Middleton's friends, that he would stick firm to him, and that he would lay before the king, that his standing or falling must be the standing or falling of the church. Of this the earl of Lauderdale had advice sent him. Yet when he came to London, and saw that the king was alienated from the lord Middleton, he resolved to make great submissions to the lord Lauderdale. When he reproached him for his engagements with the earl of Middleton, he denied all ; and said, he had never gone farther than what was decent, considering his post. He also denied he had written to the king in his favour ; but the king had given the original letter to the lord Lauderdale, who upon that shewed it to Sharp ; with which he was so struck, that he fell a crying in a most abject manner. He begged pardon for it ; and said, what could a company of poor men refuse to the earl of Middleton, who had done so much for them, and had them so entirely in his power. The lord Lauderdale upon this comforted him ; and said, he would forgive them all that was past, and would serve them and the church at another rate than lord Middleton was capable of doing. So Sharp became wholly his. Of all this lord Lauderdale gave me a full relation the next day ; and shewed me the papers that passed between lord Middleton and him. Sharp thought he had escaped well. The earl of Middleton treated the bishops too much as his creatures, and assumed a great deal to himself, and expressed a sort of authority over them ; which Sharp was uneasy under, though he durst not complain of it, or resist it : whereas he reckoned that lord Lauderdale, knowing the suspicions that lay on him, as favouring the presbyterians, would have less credit and courage in opposing any thing that should be necessary for their support. It proved that in this he judged right ; for the lord Lauderdale, that he might maintain himself at court, and with the church of England, was really more compliant and easy to every proposition that the bishops made, than he would otherwise have been, if he had been always of the episcopal party. But all he did that way was against his heart, except when his passions were vehemently stirred, which a very slight occasion would readily do.

When the earls of Lauderdale and Middleton had been writing papers and answers for above three months, an accident happened which hastened lord Middleton's disgrace. The earl of Lauderdale laid before the king the unjust proceedings in the laying on of the fines : and, to make all that party sure to himself, he procured a letter from the king to the council in Scotland, ordering them to issue out a proclamation for superseding the execution of the act of fining till farther order. The privy council being then for the greater part composed of lord Middleton's friends, it was pretended by some of them, that, as long as he was the king's commissioner, they could receive and execute no orders from the king, but through his hands. So they wrote to him, desiring him to represent to the king, that this would be an affront put on the proceedings of parliament, and would raise the spirits of a party that ought to be kept down. Lord Middleton wrote back, that he had laid the matter before the king ; and that he, considering better of it, ordered, that no proceeding should be made upon his former letter. This occasioned a hot debate in council. It was said, a letter under the king's hand could not be countermanded, but from the same hand. So the council wrote to know the king's mind in the matter. The king protested he knew nothing of it, and that lord Middleton had not spoken one word on the subject to him. He upon that sent for him, and chid him so severely, that lord Middleton concluded from it that he was ruined. Yet he always stood upon it, that he had the king's order by word of mouth for what he had done, though he was not so cautious as to procure an instruction under his hand for his warrant. It is very probable that he spoke of it to the king, when his head was full of somewhat else, so that he did not mind it ; and that, to get rid of the earl of Middleton, he bid him do whatever he proposed, without reflecting much on it : for the king was at that

time often so distracted in his thoughts, that he was not at all times master of himself. The queen-mother had brought over from France one Mrs. Stuart, reckoned a very great beauty, who was afterwards married to the duke of Richmond. The king was believed to be deeply in love with her\*. Yet his former mistress kept her ground still; and, what with her humours and jealousy, and what with this new amour, the king had very little quiet, between both their passions and his own.

Towards the end of May, the king called many of the English councillors together, and did order all the papers that had passed between the earls of Lauderdale and Middleton to be read to them. When that was done, many of them, who were Middleton's friends, said much in excuse of his errors, and of the necessity of continuing him still in that high trust. But the king said, his errors were so great and so many, that the credit of his affairs must suffer, if he continued them any longer in such hands. Yet he promised them, he would be still kind to him; for he looked on him as a very honest man. Few days after that secretary Morrice was sent to him, with a warrant under the king's hand, requiring him to deliver up his commission, which he did. And so his ministry came to an end, after a sort of a reign of much violence and injustice: for he was become very imperious. He and his company were delivered up to so much excess, and to such a madness of frolic and intemperance, that as Scotland had never seen any thing like it, so upon this disgrace there was a general joy over the kingdom: though that lasted not long; for those that came after him grew worse than ever he was like to be. He had lived in great magnificence, which made him acceptable to many: and he was a firm friend, though a violent enemy. The earl of Rothes was declared the king's commissioner. But the earl of Lauderdale would not trust him. So he went down with him, and kept him too visibly in a dependence on him, for all his high character.

One of the first things that was done in this session of parliament, was the execution of my unfortunate uncle, Wariston. He was so disordered both in body and mind that it was a reproach to a government to proceed against him: his memory was so gone, that he did not know his own children. He was brought before the parliament, to hear what he had to say, why his execution should not be awarded. He spoke long, but in a broken and disordered strain, which his enemies fancied was put on to create pity. He was sentenced to die. His deportment was unequal, as might be expected from a man in his condition. Yet when the day of his execution came, he was very serene. He was cheerful, and seemed fully satisfied with his death. He read a speech twice over on the scaffold, that to my knowledge he composed himself, in which he justified all the proceedings in the covenant, and asserted his own sincerity; but condemned his joining with Cromwell and the sectaries, though even in that his intentions had been sincere, for the good of his country, and the security of religion. Lord Lauderdale had lived in great friendship with him: but he saw the king was so set against him, that he, who at all times took more care of himself than of his friends, would not in so critical a time seem to favour a man, whom the presbyterians had set up as a sort of an idol among them, and on whom they did depend more, than on any other man then alive.

The business of the parliament went on as the lord Lauderdale directed. The whole proceeding in the matter of the balloting was laid open. It appeared, that the parliament had not desired it, but had been led into it by being made believe that the king had a mind to it. And of all the members of parliament, not above twelve could be prevailed on to own, that they had advised the earl of Middleton to ask leave of the king for it, whose private suggestions he had represented to the king as the desire of the parliament. This finished his disgrace, as well as it occasioned the putting all his party out of employments.

While they were going on with their affairs, they understood that an act had passed in the parliament of England against all conventicles, empowering justices of peace to convict

\* This was Frances Theresa, daughter of Captain Walter Stuart, son of Lord Blantyre. Her mind was not distinguished for its solidity or brilliancy; but in person she was probably the most beautiful woman that ever adorned the court of Charles the Second. Above all, she had an unimpeached character. Rotier, the king's engraver, almost adored her. Her portrait, as Britannia,

is on the reverse of the best coins of this reign.—Walpole's Anecdotes of Painting; Evelyn's Numismata. It was a very prevalent opinion that the king would divorce himself from his queen, and marry her. The consequences of her marriage with the duke of Richmond will be seen in a future page.—Memoires de Grammont; Continuation of Clarendon's Life; Grainger's Biog. History.



offenders without juries : which was thought a great breach on the security of the English constitution, and a raising the power of justices to a very arbitrary pitch. Any meeting for religious worship, at which five were present more than the family, was declared a conventicle. And every person above sixteen, that was present at it, was to lie three months in prison, or to pay 5*l.* for the first offence ; six months for the second offence, or to pay 20*l.* fine ; and for the third offence, being convict by a jury, was to be banished to any plantation, except New England or Virginia, or to pay 100*l.* All people were amazed at this severity. But the bishops in Scotland took heart upon it, and resolved to copy from it. So an act passed there, almost in the same terms. And, at the passing it, lord Lauderdale in a long speech expressed great zeal for the church. There was some little opposition made to it by the earl of Kincardine, who was an enemy to all persecution. But though some few voted against it, it was carried by a great majority.

Another act passed, declaring the constitution of a national synod. It was to be composed of the archbishops and bishops, of all deans, and of two to be deputed from every presbytery ; of which the moderator of the presbytery named by the bishop was to be one : all things were to be proposed to this court by the king or his commissioner. And whatsoever should be agreed to by the majority and the president, the archbishop of St. Andrews, was to have the force of an ecclesiastical law, when it should be confirmed by the king. Great exceptions were taken to this act. The church was restrained from meddling with any thing, but as it should be laid before them by the king ; which was thought a severe restraint, like that of the *proponentibus legatis* so much complained of at Trent. The putting the negative, not in the whole bench of the bishops, but singly in the president, was thought very irregular. But it passed with so little observation, that the lord Lauderdale could scarce believe it was penned as he found it to be, when I told him of it. Primrose told me, Sharp put that clause in with his own hand. The inferior clergy complained, that the power was wholly taken from them ; since as one of their deputies was to be a person named by the bishops, so, the moderators claiming a negative vote in their presbyteries as the bishops' delegates, the other half were only to consist of persons to whom they consented. The act was indeed so penned, that nobody moved for a national synod, when they saw how it was to be constituted.

Two other acts passed in favour of the crown. The parliament of England had laid great impositions on all things imported from Scotland : so the parliament, being speedily to be dissolved, and not having time to regulate such impositions on English goods, as might force the English to bring that matter to a just balance, they put that confidence in the king, that they left the laying of impositions on all foreign merchandise wholly to him.

Another act was looked on as a pompous compliment : and so it passed without observation, or any opposition. In it they made an offer to the king of an army of twenty thousand foot and two thousand horse, to be ready upon summons to march with forty days' provision into any part of his majesty's dominions, to oppose invasions, to suppress insurrections, or for any other cause in which his authority, power, or greatness was concerned. Nobody dreamt, that any use was ever to be made of this. Yet the earl of Lauderdale had his end in it, to let the king see what use he might make of Scotland, if he should intend to set up arbitrary government in England. He told the king, that the earl of Middleton and his party understood not, what was the greatest service that Scotland could do him : they had not much treasure to offer him ; the only thing they were capable of doing was, to furnish him with a good army, when his affairs in England should require it. And of this he made great use afterwards to advance himself, though it could never have signified any thing to the advancing the king's ends. Yet so easy was it to draw the parliament of Scotland to pass acts of the greatest consequence in a hurry, without considering the effects they might have. After these acts were passed, the parliament was dissolved ; which gave a general satisfaction to the country, for they were a furious set of people. The government was left in the earl of Glencairn's hands, who began, now that he had a little favour at court, to set himself on all occasions to oppose Sharp's violent notions. The earl of Rothes stuck firm to Sharp ; and was recommended by him to the bishops of England, as the only man that supported their interests. The king at this time restored lord Lorn to his grandfather's honour, of

being earl of Argyle, passing over his father ; and gave him a great part of his estate, leaving the rest to be sold for the payment of debts, which did not raise in value above a third part of them. This occasioned a great outcry, that continued long to pursue him.

Sharp went up to London to complain of the lord Glencairn, and of the privy council ; where, he said, there was such a remissness, and so much popularity appeared on all occasions, that, unless some more spirit were put into the administration, it would be impossible to preserve the church. That was the word always used, as if there had been a charm in it. He moved, that a letter might be written, giving him the precedence of the lord chancellor. This was thought an inexcusable piece of vanity : for in Scotland, when there was no commissioner, all matters passed through the lord chancellor's hands, who by act of parliament was to preside in all courts, and was considered as representing the king's person. He also moved, that the king would grant a special commission to some persons, for executing the laws relating to the church. All the privy councillors were to be of it. But to these he desired many others might be added, for whom he undertook, that they would execute them with zeal. Lord Lauderdale saw that this would prove a high-commission court : yet he gave way to it, though much against his own mind. Upon these things I took the liberty, though then too young to meddle in things of that kind, to expostulate very freely with him. I thought he was acting the earl of Traquair's part, giving way to all the follies of the bishops on design to ruin them. He upon that ran into a great deal of freedom with me : he told me many passages of Sharp's past life : he was persuaded he would ruin all : but, he said, he was resolved to give him line : for he had not credit enough to stop him ; nor would he oppose any thing that he proposed, unless it was very extravagant : he saw the earl of Glencairn and he would be in a perpetual war : and it was indifferent to him, how matters might go between them : things would run to a height : and then the king would of himself put a stop to their career : for the king said often he was not priest-ridden : he would not venture a war, nor travel again for any party. This was all that I could obtain from the earl of Lauderdale. I pressed Sharp himself to think of more moderate methods. But he despised my applications : and from that time he was very jealous of me.

Fairfoul, archbishop of Glasgow, died this year : and one Burnet succeeded him, who was a near kinsman of the lord Rutherford's ; who, from being governor of Dunkirk, when it was sold, was sent to Tangier, but soon after in an unhappy encounter, going out to view some grounds, was intercepted, and cut to pieces by the Moors. Upon Rutherford's recommendation, Burnet, who had lived many years in England, and knew nothing of Scotland, was sent thither, first to be bishop of Aberdeen : and from thence he was raised to Glasgow. He was of himself a soft and good natured man, tolerably learned, and of a blameless life : but was a man of no genius : and though he was inclined to peaceable and moderate counsels, yet he was much in the power of others, and took any impression that was given him very easily. I was much in his favour at first, but could not hold it long : for as I had been bred up by my father to love liberty and moderation, so I spent the greatest part of the year 1664, in Holland and France, which contributed not a little to root and fix me in those principles.

I saw much peace and quiet in Holland, notwithstanding the diversity of opinion among them ; which was occasioned by the gentleness of the government, and the toleration that made all people easy and happy. An universal industry was spread through the whole country. There was little aspiring to preferment in the state, because little was to be got that way. They were then apprehending a war with England, and were preparing for it. From thence, where every thing was free, I went to France, where nothing was free. The king \* was beginning to put things in great method, in his revenue, in his troops, in his government at home, but above all in the increasing of trade, and the building of a great fleet. His own deportment was solemn and grave, save only that he kept his mistresses very avowedly. He was diligent in his own counsels, and regular in the despatch of his affairs : so that all things about him looked like the preparing of matters for all that we have seen acted since. The king of Spain was considered as dying : and the infant his son was like to die

\* Lewis the Fourteenth.

as soon as he : so that it was generally believed, the French king was designing to set up a new empire in the west. He had carried the quarrel at Rome about the Corses so high with the house of Ghigi that the protestants were beginning to flatter themselves with great hopes. When I was in France cardinal Ghigi came, as legate, to give the king full satisfaction in that matter. Lord Hollis was then ambassador at Paris. I was so effectually recommended to him, that he used me with great freedom, which he continued to do to the end of his days. He stood upon all the points of an ambassador with the stiffness of former ages, which made him very unacceptable to a high-spirited young prince, who began even then to be flattered, as if he had been somewhat more than a mortal. This established me in my love of law and liberty, and in my hatred of absolute power. When I came back, I stayed for some months at court, and observed the scene as carefully as I could, and became acquainted with all the men that were employed in Scotch affairs. I had more than ordinary opportunities of being well informed about them. This drew a jealousy on me from the bishops, which was increased from the friendship into which Leighton received me. I passed for one, who was no great friend to church power nor to persecution. So it was thought, that lord Lauderdale was preparing me, as one who was known to have been always episcopal, to be set up against Sharp and his set of men, who were much hated by one side, and not loved, nor trusted, by the other.

In the mean while the earl of Glencairn died, which set Sharp at ease, but put him on new designs. He apprehended, that the earl of Tweeddale might be advanced to that post : for in the settlement of the duchess of Buccleugh's estate who was married to the duke of Monmouth, the best beloved of all the king's children, by which, in default of issue by her, it was to go to the duke of Monmouth and the issue he might have by any other wife, the earl of Tweeddale, though his children were the next heirs, who were by this deprived of their right, had yet given way to it in so frank a manner, that the king was enough inclined both to oblige and to trust him. But Sharp had great suspicions of him as cold in their concerns. So he wrote to Sheldon, that upon the disposal of the seals the very being of the church did so absolutely depend, that he begged he would press the king very earnestly in the matter, and that he would move that he might be called up before that post should be filled. The king bid Sheldon assure him, he should take a special care of that matter, but that there was no occasion for his coming up : for the king by this time had a very ill opinion of him. Sharp was so mortified with this, that he resolved to put all to hazard ; for he believed all was at stake : and he ventured to come up. The king received him coldly ; and asked him, if he had not received the archbishop of Canterbury's letter. He said, he had : but he would choose rather to venture on his majesty's displeasure, than to see the church ruined through his caution or negligence : he knew the danger they were in in Scotland, where they had but few and cold friends, and many violent enemies : his majesty's protection, and the execution of the law, were the only things they could trust to : and these so much depended on the good choice of a chancellor, that he could not answer it to God and the church, if he did not bestir himself in that matter : he knew many thought of himself for that post : but he was so far from that thought, that, if his majesty had any such intention, he would rather choose to be sent to a plantation : he desired, that he might be a churchman in heart, but not in habit, that should be raised to that trust. These were his very words, as the king reported them. From him he went to Sheldon, and pressed him to move the king for himself, and furnished him with many reasons to support the proposition ; a main one being, that the late king had raised his predecessor Spotiswood to that trust. Sheldon upon that did move the king with more than ordinary earnestness in it. The king suspected Sharp had set him on, and charged him to tell him the truth : the other did it, though not without some uneasiness. Upon that the king told him what he had said to himself. And then it may be easily imagined in what a style they both spoke of him. Yet Sheldon prayed the king that, whatsoever he might think of the man, he would consider the archbishop and the church : which the king assured him he would do. Sheldon told Sharp, that he saw the motion for himself did not take ; so he must think of somewhat else. Sharp proposed, that the seals might be put in the earl of Rothes's hands, till the king should pitch on a proper person. He also proposed, that the king would make him his commissioner, in order to the preparing matters for a national



synod, that they might settle a book of common-prayer, and a book of canons. This, he said, must be carried on slowly, and with great caution ; of which the late troubles did demonstrate the necessity.

All this was easily agreed to : for the king loved the lord Rothes : and the earl of Lauderdale would not oppose his advancement ; though it was a very extravagant thing to see one man possess so many of the chief places of so poor a kingdom. The earl of Crawford would not abjure the covenant : so he had been made lord treasurer in his place ; he continued to be still, what he was before, lord president of the council : and, upon the earl of Middleton's disgrace, he was made captain of a troop of guards : and now he was both the king's commissioner, and upon the matter lord chancellor. Sharp reckoned this was his master-piece. Lord Rothes, being thus advanced by his means, was in all things governed by him. His instructions were such as Sharp proposed, to prepare matters for a national synod, and in the mean while to execute the laws, that related to the church, with a steady firmness, so, when he parted from Whitehall, Sharp said to the king, that he had now done all that could be desired of him for the good of the church : so that, if all matters went not right in Scotland, none must bear the blame, but either the earl of Lauderdale or Rothes. And so they came to Scotland, where a very furious scene of illegal violence was opened. Sharp governed lord Rothes, who abandoned himself to pleasure. And, when some censured this, all the answer that was made, was, a severe piece of raillery, " that the king's commissioner ought to represent his person."

The government of Scotland as to civil matters was very easy. All were quiet and obedient. But all those counties that lie towards the west became very fierce and intractable : and the whole work of the council was to deal with them, and to subdue them. It was not easy to prove any thing against any of them, for they did stick firm to one another. The people complained of the new set of ministers, that was sent among them, as immoral, stupid, and ignorant. Generally they forsook their churches. And if any of them went to church, they said, they were little edified with their sermons. And the whole country was full of strange reports of the weakness of their preaching, and of the indecency of their whole deportment. The people treated them with great contempt, and with an aversion that broke out often into violence and injustice. But their ministers on their parts were not wanting in their complaints, aggravating matters, and possessing the bishops with many stories of designs and plottings against the state. So, many were brought before the council, and the new ecclesiastical commission, for pretended riots, and for using their ministers ill, but chiefly for not coming to church, and for holding conventicles. The proofs were often defective, and lay rather in presumptions, than clear evidence : and the punishments proposed were often arbitrary, not warranted by law. So the judges and other lawyers, that were of those courts, were careful to keep proceedings according to forms of law. upon which Sharp was often complaining, that favour was shown to the enemies of the church, under the pretence of law. It was said, that the people of the country were in such a combination, that it was not possible to find witnesses to prove things fully : and he often said, must the church be ruined for punctilios of law ? when he could not carry matters by a vote, as he had a mind, he usually looked to the earl of Rothes ; who upon that was ever ready to say, he would take it upon him to order the matter as Sharp proposed, and would do it in the king's name. Great numbers were cast in prison, where they were kept long and ill used : and sometimes they were fined, and the younger sort whipt about the streets. The people grew more sullen on all this ill usage, many were undone by it, and went over to the Scots in Ulster, where they were well received, and had all manner of liberty as to their way of religion.

Burnet was sent up to possess the king with the apprehensions of a rebellion, in the beginning of the Dutch war. He proposed that about twenty of the chief gentlemen of those counties might be secured : and he undertook for the peace of the country, if they were clapped up. This was plainly illegal. But the lord Lauderdale opposed nothing. So it was done : but with a very ill effect. For those gentlemen knowing how obnoxious they were, had kept measures a little better : but they being put in prison, both their friends and tenants laid all to the door of the clergy, and hated them the more, and used them the worse for it. The earls of Argyle, Tweeddale, and Kincardine, who were considered as the lord Lauderdale's

chief friends, were cold in all those matters. They studied to keep proceedings in a legal channel, and were for moderate censures. Upon which Sharp said, they appeared to be the friends and favourers of the enemies of the church.

Wherever the people had generally forsaken their churches, the guards were quartered through the country. Sir James Turner, that commanded them, was naturally fierce, but was mad when he was drunk; and that was very often. So he was ordered by the lord Rothes to act according to such directions as Burnet should send him. And he went about the country, and received such lists, as the ministers brought him, of those who came not to church; and, without any other proof or any legal conviction, he set such a fine on them, as he thought they could pay, and sent soldiers to lie on them till it was paid. I knew him well afterwards, when he came to himself, being out of employment. He was a learned man, but had been always in armies, and knew no other rule but to obey orders\*. He told me he had no regard to any law, but acted, as he was commanded, in a military way. He confessed it went often against the grain with him to serve such a debauched and worthless company, as the clergy generally were; and that sometimes he did not act up to the rigour of his orders; for which he was often chid, both by lord Rothes and Sharp, but was never checked for his illegal and violent proceedings. And though the complaints of him were very high, so that, when he was afterwards seized on by the party, they intended to make a sacrifice of him: yet when they looked into his orders, and found that his proceedings, how fierce soever, fell short of these, they spared him, as a man that had merited by being so gentle among them.

The truth is, the whole face of the government looked liker the proceedings of an inquisition, than of legal courts: and yet Sharp was never satisfied. So lord Rothes and he went up to court in the first year of the Dutch war. When they waited first on the king, Sharp put him in mind of what he had said at his last parting, that if their matters went not well, none must be blamed for it, but either the earl of Lauderdale, or of Rothes: and now he came to tell his majesty, that things were worse than ever; and he must do the earl of Rothes the justice to say, he had done his part. Lord Lauderdale was all on fire at this, but durst not give himself vent before the king. So he only desired, that Sharp would come to particulars, and then he should know what he had to say. Sharp put that off in a general charge, and said, he knew the party so well, that, if they were not supported by secret encouragements, they would have been long ago weary of the opposition they gave the government. The king had no mind to enter farther into their complaints. So lord Rothes and he withdrew, and were observed to look very pleasantly upon one another, as they went away. Lord Lauderdale told the king, he was now accused to his face; but he would quickly let him see what a man Sharp was. So he obtained a message from the king to him, of which he himself was to be the bearer, requiring him to put his complaints in writing, and to come to particulars. He followed Sharp home, who received him with such a gaiety, as if he had given him no provocation. But lord Lauderdale was more solemn, and told him, it was the king's pleasure, that he should put the accusation with which he had charged him, in writing. Sharp pretended, he did not comprehend his meaning. He answered, the matter was plain; he had accused him to the king; and he must either go through with it, and make it out, otherwise he would charge him with leasing-making; and spoke in a terrible tone to him. Upon that, as he told me, Sharp fell a trembling, and weeping: he protested he meant no harm to him; he was only sorry that his friends were, upon all occasions, pleading for favour to the fanatics: (that was become the name of reproach.) Lord Lauderdale said, that would not serve his turn: he was not answerable for his friends, except when they acted by directions from him. Sharp offered to go with him presently to the king, and to clear the whole matter. Lord Lauderdale had no mind to break openly with him: so he accepted of this, and carried him to the king, where he retracted all he had said, in so gross a manner, that the king said afterwards, lord Lauderdale was ill-natured to press it so heavily, and to force Sharp on giving himself the lie in such coarse terms.

\* In 1683, he published "*Essays on the Art of War*," and his "*Memoirs*," by himself, were published by the Banantyne Club.

This went to Sharp's heart : so he made a proposition to the earl of Dumfries, who was a great friend of the lord Middleton's, to try if a reconciliation could be made between him and the earl of Rothes, and if he would be content to come into the government under lord Rothes. Lord Dumfries went into Kent, where the lord Middleton was then employed in a military command, on the account of the war : and he laid Sharp's proposition before him. The earl of Middleton gave lord Dumfries power to treat in his name ; but said, he knew Sharp too well to regard any thing that came from him. Before lord Dumfries came back, Sharp had tried lord Rothes, but found he would not meddle in it : and they both understood that the earl of Clarendon's interest was declining, and that the king was like to change his measures. So when lord Dumfries came back to give Sharp an account of his negotiation, he seemed surprised, and denied he had given him any such commission. This enraged the earl of Dumfries so, that he published the thing in all companies ; among others he told it very particularly to myself.

At that time Leighton was prevailed on to go to court, and to give the king a true account of the proceedings in Scotland ; which, he said, were so violent, that he could not concur in the planting the Christian religion itself, in such a manner, much less a form of government. He therefore begged leave to quit his bishopric, and to retire ; for he thought he was in some sort accessory to the violences done by others, since he was one of them, and all was pretended to be done to establish them and their order. There were indeed no violences committed in his diocese. He went round it continually every year, preaching and catechising from parish to parish. He continued in his private and ascetic course of life, and gave all his income, beyond the small expense of his own person, to the poor. He studied to raise in his clergy a greater sense of spiritual matters, and of the care of souls ; and was in all respects a burning and shining light, highly esteemed by the greater part of his diocese : even the presbyterians were much mollified, if not quite overcome, by his mild and heavenly course of life. The king seemed touched with the state that the country was in ; he spoke very severely of Sharp ; and assured Leighton he would quickly come to other measures, and put a stop to those violent methods ; but he would by no means suffer him to quit his bishopric. So the king gave orders that the ecclesiastical commission should be discontinued ; and signified his pleasure, that another way of proceeding was necessary for his affairs.

He understood by his intelligence from Holland, that the exiles at Rotterdam were very busy, and that perhaps the Dutch might furnish the malcontents of Scotland with money and arms : so he thought it was necessary to raise more troops. Two gallant officers that had served him in the wars, and, when these were over, had gone with his letters to serve in Muscovy, where one of them, Dalziel, was raised to be a general ; and the other, Drummond, was advanced to be a lieutenant-general, and governor of Smolensko, were now, not without great difficulty, sent back by the Czar. So the king intended they should command some forces that he was to raise. Sharp was very apprehensive of this ; but the king was positive. A little before this, the act of fining, that had lain so long asleep that it was thought forgotten, was revived : and all who had been fined were required to bring in one moiety of their fines ; but the other moiety was forgiven those who took the declaration renouncing the covenant. The money was by act of parliament to be given among those who had served, and suffered for the king ; so that the king had only the trust of distributing it. There were no more Scotch councils called at Whitehall after lord Middleton's fall ; but upon particular occasions the king ordered the privy councillors of that kingdom, that were about the town, to be brought to him ; before whom he now laid the necessity of raising some more force for securing the quiet of Scotland : he only asked their advice, how they should be paid. Sharp very readily said, the money raised by the fining was not yet disposed of ; so he proposed the applying it to that use. None opposed this, so it was resolved on ; and by that means the cavaliers, who were come up with their pretensions, were disappointed of their last hopes, of being recompensed for their sufferings. The blame of all this was cast upon Sharp, at which they were out of measure enraged, and charged him with it. He denied it boldly. But the king published it so openly, that he durst not contradict him. Many, to whom he had denied that he knew any thing of the matter, and



called that advice a diabolical invention, affirmed it to the king : and the lord Lauderdale, to complete his disgrace with the king, got many of his letters, which he had written to the presbyterians, after the time in which the king knew that he was negotiating for episcopacy, in which he had continued to protest, with what zeal he was soliciting their concerns, not without dreadful imprecations on himself, if he was prevaricating with them, and laid these before the king ; so that the king looked on him as one of the worst of men.

Many of the episcopal clergy in Scotland were much offended at all these proceedings. They saw the prejudices of the people were increased by them. They hated violent courses, and thought they were contrary to the meek spirit of the gospel, and that they alienated the nation more from the church. They set themselves much to read church history, and to observe the state of the primitive church, and the spirit of those times ; and they could not but observe so great a difference between the constitution of the church under those bishops and our own, that they seemed to agree in nothing but the name. I happened to be settled near two of the most eminent of them, who were often moved to accept of bishoprics, but always refused them, both out of a true principle of humility and self-denial, and also because they could not engage in the methods by which things were carried on. One of these, Mr. Nairn, was one of the politest clergymen I ever knew bred in Scotland. He had formed clear and lively schemes of things, and was the most eloquent of all our preachers. He considered the pastoral function as a dedication of the whole man to God and his service. He read the moral philosophers much, and had wrought himself into their equal temper, as much as could consist with a great deal of fire that was in his own ; but he turned it all to melting devotion. He had a true notion of superstition, as a narrowness of soul, and a meanness of thought in religion. He studied to raise all that conversed with him to great notions of God, and to an universal charity. This made him pity the presbyterians, as men of low notions and ill tempers. He had indeed too much heat of imagination, which carried him to be very positive in some things, in which he afterwards changed his mind ; and that made him pass for an inconstant man. In a word, he was the brightest man I ever knew among all our Scotch divines. Another of these was Mr. Charteris, a man of a composed and serene gravity, but without affectation or sourness. He scarcely ever spoke in company, but was very open and free in private. He made true judgments of things, and of men ; and had a peculiar talent in managing such as he thought deserved his pains. He had little heat, either in body or mind : for, as he had a most emaciated body, so he spoke both slow, and in so low a voice that he could not easily be heard. He had great tenderness in his temper, and was a very perfect friend, and a most sublime Christian. He lived in a constant contempt of the world, and a neglect of his person. There was a gravity in his conversation that raised an attention, and begot a composedness in all about him, without frightening them ; for he made religion appear amiable in his whole deportment. He had read all the lives and the epistles of great men very carefully. He had read the fathers much, and gave me this notion of them, that in speculative points, for which writers of controversy searched into their works, they were but ordinary men : but their excellency lay in that, which was least sought for, their sense of spiritual things, and of the pastoral care. In these he thought their strength lay. And he often lamented, not without some indignation, that, in the disputes about the government of the church, much pains were taken to seek out all those passages that showed what their opinions were ; but that due care was not taken to set out the notions that they had of the sacred function, of the preparation of mind, and inward vocation, with which men ought to come to holy orders, or of the strictness of life, the deadness to the world, the heavenly temper, and the constant application to the doing of good, that became them. Of these he did not talk like an angry reformer, that set up in that strain, because he was neglected or provoked ; but like a man full of a deep, but humble sense of them. He was a great enemy to large confessions of faith, chiefly when they were imposed in the lump as tests ; for he was positive in very few things. He had gone through the chief parts of learning, but was then most conversant in history, as the innocentest sort of study, that did not fill the mind with subtlety, but helped to make a man wiser and better. These were both single persons, and men of great sobriety ; and they lived in a constant low diet, which they valued more than severer fasting. Yet they both became

miserable by the stone. Nairn went to Paris, where he was cut of a great one, of which he recovered, but lived not many years after. Charteris lived to a great age, and died in the end of the year 1700, having in his last years suffered unspeakable torment from the stone, which the operators would not venture to cut. But all that saw what he suffered, and how he bore it, acknowledged that in him they saw a most perfect pattern of patience and submission to the will of God. It was a great happiness for me, after I had broken into the world by such a ramble as I had made, that I fell into such hands, with whom I entered into a close and particular friendship. They both set me right, and kept me right; though I made at this time a sally, that may be mentioned, since it had some relation to public affairs. I observed the deportment of our bishops was in all points so different from what became their function, that I had a more than ordinary zeal kindled within me upon it. They were not only furious against all that stood out against them, but were very remiss in all the parts of their function. Some did not live within their dioceses; and those who did, seemed to take no care of them. They showed no zeal against vice: the most eminently wicked in the county were their particular confidants: they took no pains to keep their clergy strictly to rules, and to their duty: on the contrary, there was a levity and a carnal way of living about them, that very much scandalised me. There was indeed one Scougal, bishop of Aberdeen, that was a man of rare temper, great piety and prudence: but I thought he was too much under Sharp's conduct, and was at least too easy to him.

Upon all this I took a resolution of drawing up a memorial of the grievances we lay under by the ill conduct of our bishops. I resolved that no other person besides myself should have a share in any trouble it might bring on me; so I communicated it to none. This made it not to be in all the parts of it so well digested, as it otherwise might have been: and I was then but three-and-twenty. I laid my foundation in the constitution of the primitive church, and showed how they had departed from it, by their neglecting their dioceses, meddling so much in secular affairs, raising their families out of the revenues of the church, and, above all, by their violent prosecuting of those who differed from them. Of this I wrote out some copies, and signed them, and sent them to all the bishops of my acquaintance. Sharp was much alarmed at it, and fancied I was set on to it by some of the lord Lauderdale's friends. I was called before the bishops, and treated with great severity. Sharp called it a libel. I said, I had set my name to it, so it could not be called a libel. He charged me with the presumption of offering to teach my superiors. I said, such things had been not only done, but justified in all ages. He charged me for reflecting on the king's putting them on his councils: I said, I found no fault with the king for calling them to his councils, but with them for going out of that which was their proper province, and for giving ill counsel. Then he charged me for reflecting on some severities, which, he said, was a reproaching public courts, and a censuring the laws. I said, laws might be made in *terrorem*, not always fit to be executed: but I only complained of clergymen's pressing the rigorous execution of them, and going often beyond what the law dictated. He broke out into a great vehemence, and proposed to the bishops, that I should be summarily deprived and excommunicated: but none of them would agree to that. By this management of his the thing grew public. What I had ventured on was variously censured; but the greater part approved of it. Lord Lauderdale and all his friends were delighted with it; and he gave the king an account of it, who was not ill pleased at it. Great pains were taken to make me ask pardon, but to no purpose; so Sharp let the thing fall. But, that it might appear that I had not done it upon any factious design, I entered into a very close state of retirement; and gave myself wholly to my study, and the duties of my function.

Thus I have run over the state of Scotland in the years 1663, 1664, 1665, and till near the end of 1666. I now return to the affairs of England, in which I must write more defectively, being then so far from the scene. In the winter of 1664, the king declared his resolution of entering into a war with the Dutch. The grounds were so slight, that it was visible there was somewhat more at bottom than was openly owned. A great comet, which appeared that winter, raised the apprehensions of those who did not enter into just speculations concerning those matters. The house of commons was so far from examining nicely into the grounds of the war, that without any difficulty they gave the king two millions

and a half for carrying it on. A great fleet was set out, which the duke commanded in person, as Opdam had the command of the Dutch fleet. But as soon as the war broke out, a most terrible plague broke out also in the city of London, that scattered all the inhabitants that were able to remove themselves elsewhere. It broke the trade of the nation, and swept away about a hundred thousand souls; the greatest havoc that any plague had ever made in England\*. This did dishearten all people; and, coming in the very time in which so unjust a war was begun, it had a dreadful appearance. All the king's enemies, and the enemies of monarchy, said here was a manifest character of God's heavy displeasure upon the nation; as indeed the ill life the king led, and the viciousness of the whole court, gave but a melancholy prospect. Yet God's ways are not as our ways. What all had seen in the year 1660 ought to have silenced those who at this time pretended to comment on Providence. But there will be always much discourse of things that are very visible, as well as very extraordinary.

When the two fleets met, it is well known what accidents disordered the Dutch, and what advantage the English had. If that first success had been followed, as was proposed, it might have been fatal to the Dutch, who finding they had suffered so much steered off. The duke ordered all the sails to be set on to overtake them. There was a council of war called, to concert the method of action, when they should come up with them. In that council, Pen, who commanded under the duke, happened to say, that they must prepare for hotter work in the next engagement. He knew well the courage of the Dutch was never so high, as when they were desperate. The earl of Montague, who was then a volunteer, and one of the duke's court, said to me, it was very visible that made an impression. And all the duke's domestics said, he had got honour enough: why should he venture a second time? The duchess had also given a strict charge to all the duke's servants, to do all they could to hinder him to engage too far. When matters were settled, they went to sleep: and the duke ordered a call to be given him, when they should get up to the Dutch fleet. It is not known what passed between the duke and Brounker, who was of his bedchamber, and was then in waiting; but he came to Pen, as from the duke, and said, the duke ordered the sail to be slackened. Pen was struck with the order; but did not go to argue the matter with the duke himself, as he ought to have done, but obeyed it. When the duke had slept, he, upon his waking, went out on the quarter-deck, and seemed amazed to see the sails slackened, and that thereby all hope of overtaking the Dutch was lost. He questioned Pen upon it. Pen put it on Brounker, who said nothing. The duke denied he had given any such order; but he neither punished Brounker for carrying it, nor Pen for obeying it. He indeed put Brounker out of his service; and it was said, that he durst do no more, because he was so much in the king's favour, and in the mistress's. Pen was more in his favour after that, than ever before, which he continued to his son after him, though a quaker: and it was thought that all that favour was to oblige him to keep the secret. Lord Montague did believe, that the duke was struck, seeing the earl of Falmouth, the king's favourite, and two other persons of quality, killed very near him; and that he had no mind to engage again, and that Pen was privately with him. If Brounker was so much in fault, as he seemed to be, it was thought, the duke, in the passion that this must have raised in him, would have proceeded to greater extremities, and not have acted with so much phlegm. This proved the breaking the designs of the king's whole reign: for the Dutch themselves believed that, if our fleet had followed them with full sail, we must have come up with them next tide, and have either sunk or taken their whole fleet†. De Wit was struck with this

\* Sir John Reresby, in his "Memoirs," says the number of those who died of this frightful disease was 97,309. "It was usual for people to drop down in the streets as they went about their business."

† Clarendon, no friend to the duke, attributes the failure to Mr. Brounker. "The master of the duke's ships pursued his orders very punctually after the duke was gone to sleep, and kept within a just distance of the Dutch fleet; but no sooner was the duke in sleep, but Mr. Brounker, of his bedchamber, who with wonderful confusion had sustained the terror of the day, resolved to

prevent the like on the day succeeding. He first went to Sir William Pen, who commanded the ship, and told him, 'that he knew well how miraculously the duke was preserved that day, and that they ought not farther to tempt God; that the duke was the heir apparent of the crown, &c.:' and concluded with desiring and advising him to slacken the sails. Pen answered him honestly, saying, 'He durst give no such orders, except he had a mind to be hanged, for the duke himself had given positive charge to the contrary.' Mr. Brounker then went to the master of the ship, who was an honest, stout man, and



misfortune ; and, imputing some part of it to errors in conduct, he resolved to go on board himself, as soon as their fleet was ready to go to sea again.

Upon this occasion I will say a little of him, and of the affairs of Holland. His father was the deputy of the town of Dort in the States, when the late prince of Orange was so much offended with their proceedings, in disbanding a great part of their army ; and he was one of those whom he ordered upon that to be carried to the castle of Lovestein. Soon after that, his design on Amsterdam miscarrying, he saw a necessity of making up the best he could with the States. But, before he had quite healed that wound, he died of the small-pox. Upon his death all his party fell in disgrace, and the Lovesteiners carried all before them. So De Wit got his son John, then but twenty-five years of age, to be made pensioner of Dort. And within a year after, the pensioner of Holland dying, he was made pensioner of Holland. His breeding was to the civil law, which he understood very well. He was a great mathematician ; and, as his *Elementa Curvarum* show what a man he was that way, so perhaps no man ever applied Algebra to all matters of trade so nicely as he did. He made himself so entirely the master of the state of Holland, that he understood exactly all the concerns of their revenue, and what sums, and in what manner, could be raised upon any emergency of state ; for this he had a pocket-book full of tables, and was ever ready to show how they could be furnished with money. He was a frank, sincere man, without fraud, or any other artifice but silence ; to which he had so accustomed the world, that it was not easy to know, whether he was silent on design, or custom. He had a great clearness of apprehension ; and when any thing was proposed to him, how new soever, he heard all patiently, and then asked such questions as occurred to him : and by the time he had done all this, he was as much master of the proposition, as the person was that had made it. He knew nothing of modern history, nor of the state of courts, and was eminently defective in all points of form. But he laid down this for a maxim, that all princes and states followed their own interests ; so, by observing what their true interests were, he thought he could without great intelligence calculate what they were about. He did not enough consider how far passions, amours, humours, and opinions wrought on the world, chiefly on princes. He had the notions of a commonwealth from the Greeks and Romans ; and from them he came to fancy, that an army, commanded by officers of their own country, was both more in their own power, and would serve them with the more zeal, since they themselves had such an interest in the success. And so he was against their hiring foreigners, unless it was to be common soldiers, thereby to save their own people. But he did not enough consider the phlegm and covetousness of his countrymen, of which he felt the ill effects afterwards. This was his greatest error, and it turned fatally upon him : but for the administration of justice at home, and for the management of their trade, and their forces by sea, he was the ablest minister they ever had. He had an hereditary hatred to the house of Orange. He thought it was impossible to maintain their liberty, if they were still stadtholders. Therefore he did all that was possible to put an invincible bar in their way, by the perpetual edict : but at the same time he took great care of preserving the young prince's fortune, and looked well to his education, and gave him, as the prince himself told me, very

carefully kept the steerage himself, and, told him, ' that it was the duke's pleasure that he should slack the sails without taking notice of it to any man.' The master obeyed, considering that Mr. Brounker brought the order from the duke. The next morning the Dutch had got safely away. Some years after this was noticed in parliament, and Mr. Brounker, upon its being proved, was, in consequence, expelled the house of commons." It is somewhat a cause for suspicion, that notwithstanding this public disgrace, king James continued to patronise him ; though, Clarendon adds, " he was a man throughout his whole life notorious for nothing but the highest degree of impudence, stooping to the most infamous offices, and playing chess very well, which preferred him more than the most virtuous qualities could have done." There is some cause to suspect that this withholding the pursuit was done with the privity of Mr. secretary Coventry, who

continued both before and after Brounker's friend and patron. It is certain the duke was not deficient in courage.

There is a very interesting narrative of all the intrigues connected with, and the proceedings of this fleet, in the Continuation of Clarendon's Life, from which the above is extracted. The Dutch lost their chief admiral, Opdam, and eighteen of their best ships ; the English had one small vessel destroyed, but lost a great many men, including many of distinction, as the earl of Falmouth, lord Muskerrey, who was killed so close to the duke, that the latter was sprinkled with his blood ; the earl of Marlborough, the earl of Portland, sir John Lawson, &c. The last-named was admiral of a squadron, and was a great loss to the service. He had risen from being a common sailor to the rank he held, entirely by his merit. The parliamentary inquiry into the conduct of the duke, &c. in this action, is in " Grey's Debates," i. 140, &c.

just notions of every thing relating to their state. For he said, he did not know but that at some time or other he would be set over them - therefore he intended to render him fit to govern well.

The town of Amsterdam became at that time very ungovernable. It was thought that the West-India company had been given up chiefly by their means; for it was in value so equal to the East-India company, that the actions of both were often exchanged for one another. When the bishop of Munster began his pretensions on the city of Munster, and on a great part of Westphalia, they offered themselves up to the States, if they would preserve them; but the town of Amsterdam would not consent to it, nor submit to the charge. Yet they never seemed to set up for a superiority over the rest, nor to break the credit of the court at the Hague; only they were backward in every thing that was proposed, that increased the charge. And they were become so weary of De Wit, that he felt how much the late miscarriage at sea had shaken his credit; since misfortunes are always imputed to the errors of those that govern. So he resolved to go on board. De Ruyter often said, that he was amazed to see, how soon he came to a perfect understanding of all the sea affairs. The winds were so long backward, that it was not easy to get their great ships through the Zuyder sea. So he went out in boats himself, and plumbed it all so carefully, that he found many more ways to get out by different winds, than was thought formerly practicable. He got out in time to be master of the sea, before the end of the season; and so recovered the affront of the former losses, by keeping at sea after the English fleet was forced to put in. The earl of Sandwich was sent to the north with a great part of the fleet, to watch for the East-India ships; but he was thought too remiss. They got, before he was aware of it, into Berghen in Norway. If he had followed them quickly, he would have forced the port, and taken them all. But he observed forms, and sent to the viceroy of Norway demanding entrance. That was denied him. But, while these messages went backward and forward, the Dutch had so fortified the entrance into the port, that, though it was attempted with great courage, yet Tiddiman, and those who composed that squadron, were beaten off with great loss, and forced to let go a very rich fleet: for which lord Sandwich was much blamed, though he was sent ambassador into Spain, that his disgrace might be a little softened by that employment. The duke's conduct was also much blamed; and, it was said, he was most in fault, but that the earl of Sandwich was made the sacrifice\*.

Here I will add a particular relation of a transaction relating to that affair, taken from the account given of it by sir Gilbert Talbot, then the king's envoy at the court of Denmark, in a MS. that I have in my hands. That king did in June, 1665, open himself very freely to Talbot, complaining of the States, who, as he said, had drawn the Swedish war on him, on design that he might be forced to depend on them for supplies of money and shipping, and so to get the customs of Norway and the Sound into their hands for their security. Talbot upon that told him, that the Dutch Smyrna fleet was now in Berghen, besides many rich West-India ships; and that they staid there in expectation of a double East-India fleet, and of De Ruyter, who was returning with the spoils of the coast of Guinea. So he said, the king of Denmark might seize those ships before the convoy came, which they expected. The king of Denmark said, he had not strength to execute that. Talbot said, the king, his master, would send a force to effect it: but it was reasonable he should have half of the spoil. To which the king of Denmark readily agreed, and ordered him to propose it to his master. So he immediately transmitted it to the king, who approved of it, and promised to send a fleet to put it in execution. The ministers of Denmark were appointed to concert the matter with Talbot: but nothing was put in writing; for the king of Denmark was ashamed to treat of such an affair, otherwise than by word of mouth. Before the end of July, news came that De Ruyter with the East-India fleet was on the coast of Norway. Soon after he came into Berghen. The riches then in that port were reckoned at many millions.

The earl of Sandwich was then in those seas. So Talbot sent a vessel express to him with the news. But that vessel fell into the hands of the Dutch fleet, and was sent to Holland. The king of Denmark wrote to the viceroy of Norway, and to the governor of Berghen,

\* There is a full account of this mismanaged affair in the Continuation of Clarendon's Life. It agrees with Burnet's statement.

ordering them to use all fair means to keep the Dutch still in their harbour, promising to send particular instructions in a few days to them how to proceed. Talbot sent letters with these, to be delivered secretly to the commanders of the English frigates, to let them know that they might boldly assault the Dutch in port; for the Danes would make no resistance, pretending a fear that the English might destroy their town; but that an account was to be kept of their prizes, that the king of Denmark might have a just half of all: they were not to be surprised if the Danes seemed at first to talk high: that was to be done for show; but they would grow calmer, when they came to engage. The earl of Sandwich sent his secretary to Talbot, to know the particulars of the agreement with the king of Denmark: but the vessel that brought him was ordered, upon landing the secretary, to come back to the fleet. So that it was impossible to send by that vessel what was desired. And no other ships could be got to carry back the secretary. And thus the earl of Sandwich went to attack the Dutch fleet without staying for an answer from Talbot, or knowing what orders the governor of Berghen had yet received: for though the orders were sent, yet it was so great a way, ten or twelve days' journey, that they could not reach the place, but after the English fleet had made the attack. The viceroy of Norway, who resided at Christiana, had his orders sooner, and sent out two galleys to communicate the agreement to the earl of Sandwich: but missed him, for he was then before Berghen. The governor of Berghen, not having yet the orders that the former express promised him, sent a gentleman to the English fleet, desiring they would make no attack for two or three days; for by that time he expected his orders. Clifford was sent to the governor, who insisted that till he had orders he must defend the port, but that he expected them in a very little time. Upon Clifford's going back to the fleet, a council of war was called, in which the officers, animated with the hope of a rich booty, resolved without further delay to attack the port, either doubting the sincerity of the Danish court, or unwilling to give them so large a share of that, on which they reckoned as already their prize. Upon this Tiddiman began the attack, which ended fatally. Divers frigates were disabled, and many officers and seamen were killed. The squadron was thus ruined, and Tiddiman was ready to sink: so he was forced to slip his cables, and retire to the fleet, which lay without the rocks. This action was on the third of August; and on the fourth the governor received his orders. So he sent for Clifford, and showed him his orders. But as the English fleet had by their precipitation forced him to do what he had done, so he could not, upon what had happened the day before, execute those orders till he sent an account of what had passed to the court of Denmark, and had the king's second orders upon it. And, if the whole English fleet would not stay in those seas so long, he desired they would leave six frigates before the harbour, and he would engage the Dutch should not in the mean while go out to sea. But the English were sullen upon their disappointment, and sailed away. The king of Denmark was unspeakably troubled at the loss of the greatest treasure he was ever like to have in his hands. This was a design well laid, that would have been as fatal to the Dutch as ignominious to the king of Denmark, and was by the impatient ravenousness of the English lost, without possibility of recovering it. And indeed there was not one good step made after this in the whole progress of the war.

England was at this time in a dismal state. The plague continued for the most part of the summer in and about London, and began to spread over the country. The earl of Clarendon moved the king to go to Salisbury: but the plague broke out there. So the court went to Oxford, where another session of parliament was held. And though the conduct at sea was severely reflected on, yet all that was necessary for carrying on the war another year was given. The house of commons kept up the ill humour they were in against the non-conformists very high. A great many of the ministers of London were driven away by the plague; though some few stayed. Many churches being shut up, when the inhabitants were in a more than ordinary disposition to profit by good sermons, some of the non-conformists upon that went into the empty pulpits, and preached; and, it was given out, with very good success: and in many other places they began to preach openly, not without reflecting on the sins of the court, and on the ill usage that they themselves had met with. This was represented very odiously at Oxford. So a severe bill was brought in,



requiring all the silenced ministers to take an oath, declaring it was not lawful on any pretence whatsoever to take arms against the king, or any commissioned by him, and that they would not at any time endeavour an alteration in the government of the church or state. Such as refused this were not to come within five miles of any city, or parliament borough, or of the church where they had served. This was much opposed in both houses, but more faintly in the house of commons. The earl of Southampton spoke vehemently against it in the house of lords. He said, he could take no such oath himself; for how firm soever he had always been to the church, yet, as things were managed, he did not know but he himself might see cause to endeavour an alteration. Doctor Earl, bishop of Salisbury, died at that time. But, before his death, he declared himself much against this act. He was the man of all the clergy for whom the king had the greatest esteem. He had been his sub-tutor, and had followed him in all his exile with so clear a character, that the king could never see or hear of any one thing amiss in him. So he, who had a secret pleasure in finding out any thing that lessened a man esteemed eminent for piety, yet had a value for him beyond all the men of his order\*. Sheldon and Ward were the bishops that acted and argued most for this act, which came to be called *The Five-Mile Act*. All that were the secret favourers of popery promoted it: their constant maxim being, to bring all the sectaries into so desperate a state, that they should be at mercy, and forced to desire a toleration on such terms, as the king should think fit to grant it on. Clifford began to make a great figure in the house of commons. He was the son of a clergyman, born to a small fortune, but was a man of great vivacity. He was reconciled to the church of Rome before the Restoration. The lord Clarendon had many spies among the priests; and the news of this was brought him among other things. So when Clifford began first to appear in the house, he got one to recommend him to the lord Clarendon's favour. The lord Clarendon looked into the advice that was brought him; and by comparing things together, he perceived that he must be that man: and upon that he excused himself the best he could. So Clifford struck in with his enemies, and tied himself particularly to Bennet, made lord, and afterwards earl of Arlington†. While the act was before the house of commons, Vaughan, afterwards made chief justice of the common pleas, moved that the word "legally" might be added to the words "commissioned by the king:" but Finch, the attorney-general, said, that was needless; since, unless the commission was legal, it was no commission; and, to make it legal, it must be issued out for a lawful occasion, and to persons capable of it, and must pass in the due form of law. The other insisted that the addition would clear all scruples, and procure an universal compliance. But that could not be obtained, for it was intended to lay difficulties in the way of those against whom the act was levelled. When the bill came up to the lords, the earl of Southampton moved for the same addition: but was answered by the earl of Anglesey, upon the same grounds on which Finch went. Yet this

\* Dr. John Earl well merited the esteem of all who knew him; for all who mention him agree with Isaac Walton in admiring his wisdom, his "sanctified learning," and his "pious, peaceable, primitive temper." Wood says, "his younger years were adorned with oratory, poetry, and witty fancies; and his elder with quaint preaching and subtle disputes. He translated Hook's *"Ecclesiastical Polity"* and the *"Eikon Basilike"* into Latin. He died at Oxford in November, 1675, aged about seventy-six.—Wood's *Athenæ Oxon.*

The good bishop might justly oppose "the Five-Mile Act," for it was a step in the progress of intolerant cruelty that only just fell short of the stake and fire. The Act of Uniformity and the Act against Conventicles had already forbidden Englishmen the enjoyment of liberty of conscience, and now this act took from them their accustomed means of subsistence, if they still dared to differ from the episcopal church. It had this among its clauses—"All persons in holy orders, or pretended holy orders, or pretending to holy orders," who should not have subscribed the Act of Uniformity, and sworn "that it is not lawful, upon any pretence whatever, to take

arms against the king," should not come within five miles of any city, corporate town, borough sending members to parliament, or any parish or place wherein they have taken upon themselves to preach. In the Statute-book it is 17 Charles II., c. 2.

† Thomas Clifford, first lord Clifford, of Chudleigh, was the son of colonel Hugh Clifford, of Ugbrook, in Devonshire. His grandfather was a clergyman, which probably caused Burnet to make the erroneous statement in the text. His education was completed at Exeter college, Oxford, and the Middle Temple. He sat in parliament as the representative of Totnes: but his sanguine temperament delighted in other scenes of excitement, besides those of the senate, and prompted him to be present as a volunteer in many of our naval actions with the Dutch. He was successively envoy to the courts of Sweden and Denmark, comptroller of the king's household, and one of his privy council. This only led to other preferments, which will be mentioned in future pages.—Collins's *Peerage*; Wood's *Athenæ*; Prince's *Worthies of Devon*; Biograph. Britannica.

gave great satisfaction to many who heard it, this being the avowed sense of the legislators. The whole matter was so explained by Bridgman, when Bates, with a great many more, came into the court of common pleas to take the oath. The act passed : and the non-conformists were put to great straits. They had no mind to take the oath. And they scarce knew how to dispose of themselves according to the terms of the act. Some moderate men took pains to persuade them to take the oath. It was said by "endeavour" was only meant an unlawful endeavour ; and that it was so declared in the debates of both houses. Some judges did on the bench expound it in that sense. Yet few of them \* took it. Many more refused it, who were put to hard shifts to live, being so far separated from the places from which they drew their chief subsistence. Yet as all this severity in a time of war, and of such a public calamity, drew very hard censures on the promoters of it, so it raised the compassions of their party so much, that I have been told they were supplied more plentifully at that time than ever. There was better reason, than perhaps those of Oxford knew, to suspect practices against the state.

Algernon Sidney, and some others of the commonwealth party, came to De Wit, and pressed him to think of an invasion of England and Scotland, and gave him great assurance of a strong party : and they were bringing many officers to Holland to join in the undertaking. They dealt also with some in Amsterdam, who were particularly sharpened against the king, and were for turning England again into a commonwealth. The matter was for some time in agitation at the Hague. But De Wit was against it, and got it to be laid aside. He said, their going into such a design would provoke France to turn against them : it might engage them in a long war, the consequences of which could not be foreseen : and, as there was no reason to think ; that, while the parliament was so firm to the king, any discontents could be carried so far as to a general rising, which these men undertook for : so, he said, what would the effect be of turning England into a commonwealth, if it could possibly be brought about, but the ruin of Holland ? Since it would naturally draw many of the Dutch to leave their country, which could not be kept and maintained but at a vast charge, to exchange it for the plenty and security that England afforded. Therefore all that he would engage in was, to weaken the trade of England, and to destroy their fleet ; in which he succeeded the following year beyond all expectation. The busy men in Scotland being encouraged from Rotterdam, went about the country, to try if any men of weight would set themselves at the head of their designs for an insurrection. The earl of Cassilis and Lockhart were the two persons they resolved to try. But they did it at so great a distance, that, from the proposition made to them, there were no danger of misprision of treason. Lord Cassilis had given his word to the king, that he would never engage in any plots ; and he had got under the king's hand a promise, that he and his family should not be disturbed, let him serve God in what way he pleased. So he did not suffer them to come so far as to make him any propositions. Lockhart did the same. They seeing no other person that had credit enough in the country to bring the people about him, gave over all the projects for that year. But, upon the informations that the king had of their caballing at Rotterdam, he raised those troops of which mention was formerly made.

An accident happened this winter at Oxford, too inconsiderable, and too tender to be mentioned, if it was not that great effects were believed to have followed on it. The duke had always one private amour after another, in the managing of which, he seemed to stand more in awe of the duchess, than, considering the inequality of their rank, could have been imagined. Talbot was looked on as the chief manager of those intrigues. The duchess's deportment was unexceptionable, which made her authority the greater. At Oxford there was then a very graceful young man of quality that belonged to her court, whose services were so acceptable, that she was thought to look at him in a particular manner. This was so represented to the duke, that he, being resolved to emancipate himself into more open practices, took up a jealousy ; and put the person out of his court with so much precipitation, that the thing became very public by this means. The duchess lost the power she had over him so entirely, that no method she could think of was like to recover

\* That is, the non-conformists.

it, except one. She began to discover what his religion was, though he still came not only to church, but to sacrament. And upon that she, to regain what she had lost, entered into private discourses with his priests; but in so secret a manner, that there was not for some years after this the least suspicion given. She began by degrees to slacken in her constant coming to prayers and to sacrament, in which she had been before that regular, almost to superstition. She excused that on her ill health: for she fell into an ill habit of body, which some imputed to the effect of some of the duke's distempers communicated to her. A story was set about, and generally believed, that the earl of Southesk, that had married a daughter of duke Hamilton's, suspecting some familiarities between the duke and his wife, had taken a sure method to procure a disease to himself, which he communicated to his wife, and was by that means sent round till it came to the duchess, who was so tainted with it that it was the occasion of the death of all her children, except the two daughters, our two queens; and was believed the cause of an illness under which she languished long, and died so corrupted, that in dressing her body after her death, one of her breasts burst, being a mass of corruption. Lord Southesk was for some years not ill pleased to have this believed. It looked like a peculiar strain of revenge, with which he seemed much delighted. But I know he has to some of his friends denied the whole of the story very solemnly. Another acted a better part. He did not like a commerce that he observed between the duke and his wife. He went and expostulated with him upon it. The duke fell a commending his wife much. He told him, he came not to seek his wife's character from him: the most effectual way of commending her, was to have nothing to do with her. He added, that if princes would do those wrongs to subjects, who could not demand such reparations of honour from them, as they could from their equals, it would put them on more secret methods of revenge: for some injuries were such, that men of honour could not bear them. And, upon a new observation he made of the duke's designs upon his wife, he quitted a very good post, and went with her into the country, where he kept her till she died. Upon the whole matter the duke was often ill. His children were born with ulcers, or they broke out upon them soon after: and all his sons died young, and unhealthy. This has, as far as any thing presumptive only, and not to be brought in the way of proof, prevailed to create a suspicion, that so healthy a child as the pretended prince of Wales could neither be his, nor be born of any wife, with whom he had lived long. The violent pain that his eldest daughter had in her eyes, and the gout which has early seized our present queen, are thought the dregs of a tainted original. Willis, the great physician, being called to consult for one of his sons, gave his opinion in those words, *mala stamina vitæ*, which gave such offence, that he was never called for afterwards.

I know nothing of the counsels of the year 1666, nor whose advices prevailed. It was resolved on that the duke should not go to sea; but that Monk should command the great fleet of between fifty and sixty ships of the line, and that prince Rupert should be sent with a squadron of about twenty-five ships, to meet the French fleet, and to hinder their conjunction with the Dutch: for the French had promised a fleet to join the Dutch, but never sent it. Monk went out so certain of victory, that he seemed only concerned for fear the Dutch should not come out. The court flattered themselves with the hopes of a very happy year: but it proved a fatal one: the Dutch fleet came out, De Wit and some of the States being on board. They engaged the English fleet for two days, in which they had a manifest superiority. But it cost them dear; for the English fought well. But the Dutch were superior in number, and were so well furnished with chained shot (a peculiar contrivance of which De Wit had the honour to be thought the inventor), that the English fleet was quite unrigged. And they were in no condition to work themselves off. So they must have all been taken, sunk, or burnt, if prince Rupert, being yet in the Channel, and hearing that they were engaged by the continued roaring of guns, had not made all possible haste to get to them. He came in good time. And the Dutch, who had suffered much, seeing so great a force come up, sheered off. He was in no condition to pursue them; but brought off our fleet, which saved us a great loss that seemed otherwise unavoidable. The court gave out that it was a victory: and public thanksgivings were ordered, which was a horrid mocking of God, and a lying to the world. We had in one respect reason to thank God,



that we had not lost our whole fleet. A dreadful fire completed the miseries of this year : the plague was so sunk in London, that the inhabitants began to return to it, and brought with them a great deal of manufacture, which was lying on the hands of the clothiers and others, now in the second year of the war, in which trade and all other consumptions were very low. It was reckoned, that a peace must come next winter. The merchants were upon that preparing to go to market as soon as possible. The summer had been the driest that was known for some years. And London being for the most part built of timber filled up with plaster, all was extremely dry. On the second of September a fire broke out, that raged for three days, as if it had a commission to devour every thing that was in its way. On the fourth day it stopped in the midst of very combustible matter.

I will not enlarge on the extent nor the destruction made by the fire : many books are full of it. That which is still a great secret is, whether it was casual, or raised on design. The English fleet had landed on the Vly, an island lying near the Texel, and had burnt it : upon which some came to De Wit, and offered as revenge, that, if they were assisted, they would set London on fire. He rejected the proposition : for he said, he would not make the breach wider, nor the quarrel irreconcilable. He said it was brought him by one of the Labadists, as sent to them by some others. He made no farther reflections on the matter till the city was burnt. Then he began to suspect there had been a design, and that they had intended to draw him into it, and to lay the odium of it upon the Dutch. But he could hear no news of those who had sent that proposition to him. In the April before, some commonwealth's-men were found in a plot, and hanged ; who at their execution confessed, they had been spoken to, to assist in a design of burning London on the second of September. This was printed in the *Gazette* of that week, which I myself read. Now the fire breaking out on the second, made all people conclude, that there was a design some time before on foot for doing it.

The papists were generally charged with it. One Hubert, a French papist, was seized in Essex, as he was getting out of the way in great confusion. He confessed, he had begun the fire, and persisted in his confession to his death ; for he was hanged upon no other evidence but that of his own confession. It is true, he gave so broken an account of the whole matter, that he was thought mad. Yet he was blindfolded, and carried to several places of the city : and then, his eyes being opened, he was asked if that was the place : and he being carried to wrong places, after he looked round about for some time, he said, that was not the place : but when he was brought to the place where it first broke out, he affirmed that was the true place. And Tillotson told me, that Howell, then the recorder of London, was with him, and had much discourse with him ; and that he concluded it was impossible that it could be a melancholy dream : the horror of the fact, and the terror of death, and perhaps some engagements in confession, might put him in such disorder, that it was not possible to draw a clear account of any thing from him, but of what related to himself. Tillotson, who believed that the city was burnt on design, told me a circumstance, that made the papists employing such a crazed man, in such a service, more credible. Langhorn, the popish counsellor at law, who for many years passed for a protestant, was despatching a half-witted man to manage elections in Kent before the Restoration. Tillotson, being present, and observing what a sort of man he was, asked Langhorn, how he could employ him in such services. Langhorn answered, it was a maxim with him, in dangerous services, to employ none but half witted men, if they could be but secret and obey orders : for if they should change their minds, and turn informers instead of agents, it would be easy to discredit them, and to carry off the weight of any discoveries they could make, by showing they were madmen, and so not like to be trusted in critical things.

The most extraordinary passage, though it is but a presumption, was told me by Dr. Lloyd and the countess of Clarendon. The latter had a great estate in the New River, that is brought from Ware to London, which is brought together at Islington, where there is a great room full of pipes, that convey it through all the streets of London. The constant order of that matter was, to set all the pipes running on Saturday night, that so the cisterns might be all full by Sunday morning, there being a more than ordinary consumption

of water on that day. There was one Grant, a papist, under whose name sir William Petty published his observations on the bills of mortality : he had some time before applied himself to Lloyd, who had great credit with the countess of Clarendon ; and said, he could raise that estate considerably, if she would make him a trustee for her. His schemes were probable : and he was made one of the board that governed that matter : and by that he had a right to come, as oft as he pleased, to view their works at Islington. He went thither the Saturday before the fire broke out, and called for the key of the place where the heads of the pipes were, and turned all the cocks that were then open, and stopped the water, and went away, and carried the keys with him. So when the fire broke out next morning, they opened the pipes in the streets to find water, but there was none. And some hours were lost in sending to Islington, where the door was to be broken open, and the cocks turned. And it was long before the water got to London. Grant indeed denied that he had turned the cocks. But the officer of the works affirmed, that he had, according to order, set them all running, and that no person had got the keys from him, beside Grant ; who confessed he had carried away the keys, but pretended he did it without design. There were many other stories set about, as that the papists in several places had asked, if there was no news of the burning of London, and that it was talked of in many parts beyond sea, long before the news could get thither from London. In this matter I was much determined by what sir Thomas Littleton, the father, told me. He was a man of a strong head, and sound judgment. He had just as much knowledge in trade, history, the disposition of Europe, and the constitution of England, as served to feed and direct his own thoughts, and no more. He lived all the summer long in London, where I was his next neighbour, and had for seven years a constant and daily conversation with him. He was treasurer of the navy in conjunction with Osborn, who was afterwards lord treasurer, who supplanted him in that post, and got it all into his own hands. He had a very bad opinion of the king ; and thought, that he had worse intentions than his brother, but that he had a more dexterous way of covering and managing them ; only his laziness made him less earnest in prosecuting them. He had generally the character of the ablest parliament man in his time. His chief estate lay in the city, not far from the place where the fire broke out, though it did not turn that way. He was one of the committee of the house of commons, that examined all the presumptions of the city's being burnt on design : and he often assured me, that there was no clear presumption made out about it, and that many stories, which were published with good assurance, came to nothing upon a strict examination. He was at that time, that the inquiry was made, in employment at court. So, whether that biassed him, or not, I cannot tell. There was so great a diversity of opinions in the matter, that I must leave it under the same uncertainty in which I found it. If the French and Dutch had been at that time designing an impression elsewhere, it might have been more reasonable to suppose it was done on design to distract our affairs. But it fell out at a dead time, when no advantage could be made of it. And it did not seem probable, that the papists had engaged in the design, merely to impoverish and ruin the nation ; for they had nothing ready then to graft upon the confusion that this put all the people in. Above twelve thousand houses were burnt down, with the greatest part of the furniture and merchandise that was in them. All means used to stop it proved ineffectual ; though the blowing up of houses was the most effectual of any. But the wind was so high, that fleaks of fire and burning matter were carried in the air across several streets. So that the fire spread not only in the next neighbourhood, but at a great distance. The king and the duke were almost all the day long carried back with the guards, seeing to all that could be done, either for quenching the fire, or for carrying off persons and goods to the fields all about London. The most astonishing circumstance of that dreadful conflagration was, that, notwithstanding the great destruction that was made, and the great confusion in the streets, I could never hear of any one person that was either burnt, or trodden to death. The king was never observed to be so much struck with any thing in his whole life, as with this. But the citizens were not so well satisfied with the duke's behaviour. They thought he looked too gay, and too little concerned. A jealousy of his being concerned in it was spread about with great industry, but

with very little appearance of truth. Yet it grew to be generally believed, chiefly after he owned he was a papist \*.

In Scotland the fermentation went very high. Turner was sent again into the west in October this year: and he began to treat the country at the old rate. The people were

\* Clarendon, another contemporary, has given a still fuller account of this vast conflagration, confirming all Burnet's statements, but adding many more particulars. He says the fire commenced at midnight, on Saturday, the 1st of September, or nearer the morning of Sunday, in a baker's shop at the end of Thames-street next the Tower. The fire spread so rapidly, the streets and alleys being narrow, the houses built of timber, and stored with combustible materials, that the people seemed confounded. It raged furiously all the day, the people only gazing upon it, buckets not supplying water fast enough to check it, no one knowing how to act, and the magistrates issuing no orders. The Tower was considered in imminent danger, but in the night the wind changed, so that those who went to bed late, at a great distance from any part of the fire, were awakened before morning by their own house being in flames. On Monday morning a suspicion arose that the fire was the result of a conspiracy, "the authors were concluded to be all the Dutch and all the French in the town, though they had inhabited the same places above twenty years. All of that kind, or, if they were strangers, of what nation soever, were laid hold of; and after all the ill usage that can consist in words, with some blows and kicks, they were thrown into prison. Shortly after, the same conclusion comprehended all the Roman Catholics, and though they kept within doors, some of them, and of quality, were taken by force out of their houses and carried to prison." This conspiracy was so generally and firmly believed, that any one controverting the suspicion was immediately suspected. It was strengthened by the different points in which it continued to break out; and testimony was not wanting that the incendiaries had been seen throwing fire-balls into houses, as a servant of the Portuguese ambassador was brought before lords Hollis and Ashley upon this charge. A substantial citizen was ready to make oath, that he saw the prisoner take a combustible from his pocket, and throw it into a shop, which immediately took fire. But upon examination it came out, that this Portuguese as he walked along, saw a piece of bread upon the ground, which he picked up, and laid upon a shelf in the next house, which is a custom or superstition so common in Portugal, that its king would act in this manner. The bread was found where the prisoner described, and the fire had burst out two doors from the house in which he had placed it! "The fire and the wind continued in the same excess all Monday, Tuesday, and Wednesday until the afternoon, and scattered brands into all quarters; the nights more terrible than the days, and the light the same, the light of the fire supplying that of the sun. Indeed, whoever was an eye-witness of that terrible prospect, can never have so lively an image of the last conflagration till he beholds it; the faces of all people in a wonderful dejection and discomposure, not knowing where they could repose themselves for one hour's sleep, and no distance thought secure from the fire, which suddenly started up before it was suspected; so that people left their houses, and carried away their goods from many places which received no hurt, and whither they afterwards returned again; all the fields full of women and children, who made a shift to bring thither some goods and conveniences to rest upon as safer than any houses, where yet they felt such intolerable heat and drought, as if they had been in the middle of the fire." Clarendon makes the same statement respecting the activity of the king and the duke of York; but does not object to any misplaced cheerfulness of the latter. The fire "continued

in its fury a direct line to the Thames side, all Cheapside from beyond the Exchange, through Fleet-street; inasmuch, as for that breadth, taking in both sides as far as the Thames, there was scarcely a house or church standing from London Bridge to Dorset House, which was burned on Tuesday night, after Baynard's Castle." The king despaired of saving Whitehall, but was most fearful of the safety of Westminster Abbey. "But it pleased God, contrary to all expectation, that on Wednesday, about four or five of the clock in the afternoon, the wind fell; and as in an instant the fire decreased, having burnt all on the Thames side to the new buildings of the Inner Temple next to Whitefriars, and was stopped by that vacancy from proceeding farther into that house, but laid hold on some old buildings which joined to Ram Alley, and swept all those into Fleet Street; and the other side being destroyed to Fetter Lane." As soon as the fire abated, the king's first care was to obtain a speedy supply of corn and other provisions from the country for the houseless sufferers; and in four days, "which was more miraculous," all found shelter either with their friends, or in huts built upon the ruins of their own houses. The chief justice was sent for from the country to examine witnesses, and endeavour to discover whether there was any truth in the reported conspiracy.—Notwithstanding the popular excitement and clamour, no just grounds for suspecting its existence could be detected. It is true the inscription on the London Monument says otherwise, but, as the poet justly describes it,

"Like a tall bully, rears its head, and *lies*."

Hubert, mentioned by Burnet, was the son of a famous watchmaker at Rouen: he had worked for some years in London, and both here and in his native city was considered insane. Notwithstanding the startling fact of his identifying the place where the fire first commenced, but which he might have easily done from knowing the premises before the calamity occurred, the whole of his examination was so incoherent and absurd, that the lord chief justice, who was rather rigorous, told the king "he did not believe the prisoner guilty." This was the general opinion of the judges and others at his trial, but the jury found him guilty, and the king did not extend to him that mercy which is one of the brightest points of his prerogative. "Certain it is," continues Clarendon, "that upon the strictest examination that could be afterwards made by the king's command, and then by the diligence of the house, that upon the general jealousy and rumour appointed a committee, that was very diligent, there was never any probable evidence (that poor creature's excepted) that there was any other cause of that woful fire, than the displeasure of Almighty God: the first accident of its beginning in a baker's shop, where there was so great a stock of faggots, and the neighbourhood of much combustible matter, pitch, resin, &c., led it in an instant from house to house through Thames Street, with the agitation of so terrible a wind to scatter it."

Above two-thirds of the city were reduced to ashes, and those "the most rich and wealthy parts, where the greatest warehouses and the best shops stood: the Royal Exchange, with all the streets about it, Lombard Street, Cheapside, Paternoster Row, St. Paul's Church, with almost all the other city churches, the Old Bailey, Ludgate, all Paul's Church-yard even to the Thames, and the greatest part of Fleet Street." The value of what



alarmed, and saw they were to be undone. They met together and talked with some fiery ministers. Semple, Maxwell, Welsh, and Guthry were the chief incendiaries. Two gentlemen that had served in the wars, one a lieutenant-colonel, Wallace, and the other that had been a major, Learmonth, were the best officers they had to rely on. The chief gentlemen of those counties were all clapped up in prison, as was formerly told. So that preserved them: otherwise they must either have engaged with the people, or have lost their interest among them. The people were told, that the fire of London had put things in that confusion at court, that any vigorous attempt would disorder all the king's affairs. If the newly levied troops had not stood in their way, they would have been able to have carried all things against them: for the two troops of guards, with the regiment of foot guards, would not have been able to have kept their ground before them. The people, as some of them told me afterwards, were made to believe that the whole nation was in the same disposition. So on the thirteenth of November they ran together; and two hundred of them went to Dumfries, where Turner then lay with a few soldiers about him; the greatest part of his men being then out in parties, for the levying of fines. So they surprised him before he could get to his arms: otherwise, he told me, he would have been killed rather than taken, since he expected no mercy from them. With himself they seized his papers and instructions, by which it appeared he had been gentler than his orders were. So they resolved to keep him, and exchange him as occasion should be offered. But they did not tell him what they intended to do with him: so he thought, they were keeping him, till they might hang him up with the more solemnity. There was considerable cash in his hands, partly for the pay of his men, partly of the fines which he had raised in the country, that was seized; but he, to whom they trusted the keeping of it, ran away with it. They spread a report, which they have since printed, and it passed for some time current, that this rising was the effect of a sudden heat, that the country was put into, by seeing one of their neighbours tied on a horse hand and foot, and carried away, only because he could not pay a high fine that was set upon him; and that upon this provocation the neighbours who did not know how soon such usage would fall to their own turn ran together, and rescued him; and that, fearing some severe usage for that, they kept together, and that, others coming in to them, they went on, and seized Turner. But this was a story made only to beget compassion: for, after the insurrection was quashed, the privy council sent some round the country, to examine the violences that had been committed, particularly in the parish where it was given out that this was done. I read the report they made to the council, and all the depositions that the people of the country made before them: but this was not mentioned in any one of them.

The news of this rising was brought to Edinburgh, fame increasing their numbers to some thousands. And this happening to be near Carlisle, the governor of that place sent an express to court, in which the strength of the party was magnified much beyond the truth. The earl of Rothes was then at court, who had assured the king, that all things were so well managed in Scotland, that they were in perfect quiet. There were, he said, some stubborn fanatics still left that would be soon subdued: but there was no danger from any thing that they or their party could do. He gave no credit to the express from Carlisle: but, two days after, the news was confirmed by an express from Scotland. Sharp was then

was destroyed could never be nearly computed. The Stationers' Company lost 200,000*l*." The lord mayor, sir Thomas Bludworth, was much blamed for not acting more energetically. When requested to order houses to be pulled down, to cut off the means of communication from the flames, he made no other answer than, "he durst not do it without the consent of the owners."—Continuation of Clarendon's Life, 348, &c.

One of the inscriptions on the Monument thus details the extent of the destruction. "It consumed 89 churches; the City Gates; Guildhall; many public structures: 32,000 private houses; 400 streets. Of the 26 wards it totally destroyed 15, and half-burnt 8 others. The ruins occupied 436 acres."

Although, when rebuilt, the city was incalculably improved by the houses being built more substantially, and the streets wider, yet the opportunity was lost of exercising the authority of the legislature, which for the public welfare might justly have enacted, that the plans of sir Christopher Wren should be pursued, which would have rendered London the most elegant and most convenient city of Europe. One great national benefit that was suggested by the calamity, originated with Dr. Barrow, one of the chief rebuilders of the city. This was the institution of an Insurance Office, afterwards sanctioned by the government.

at the head of the government: so he managed this little war, and gave all the orders and directions in it. Dalziel was commanded to draw all the forces they had together which lay then dispersed in quarters. When that was done, he marched westward. A great many ran to the rebels, who came to be called *Whigs*. At Lanark in Clydesdale they had a solemn fast day, in which, after much praying, they renewed the covenant, and set out their manifesto: in which they denied, that they rose against the king; they complained of the oppression under which they had groaned; they desired that episcopacy might be put down, and that presbytery, and the covenant, might be set up, and their ministers restored again to them; and then they promised, that they would be in all other things the king's most obedient subjects. The earl of Argyle raised fifteen hundred men, and wrote to the council that he was ready to march upon order. Sharp thought, that if he came into the country, either he or his men would certainly join with the rebels: so he sent him no order at all. But he was at the charge of keeping his men together to no purpose. Sharp was all the while in a dreadful consternation, and wrote dismal letters to court, praying that the forces which lay in the north of England might be ordered down: for, he wrote, they were surrounded with the rebels, and did not know what was become of the king's forces. He also moved, that the council would go, and shut themselves up in the Castle of Edinburgh. But that was opposed by the rest of the board, as an abandoning of the town, and the betraying an unbecoming fear, which might very much encourage the rebels, and such as intended to go over to them. Orders were given out for raising the country: but there was no militia yet formed. In the meanwhile Dalziel followed the rebels as close as he could. He published a proclamation of pardon, as he was ordered, to all that should in twenty-four hours' time return to their houses, and declared all that continued any longer in arms rebels. He found the country was so well affected towards them, that he could get no sort of intelligence, but what his own parties brought in to him. The Whigs marched towards Edinburgh, and came within two miles of the town. But, finding neither town nor country declare for them, and that all the hopes their leaders had given them proved false, they lost heart. From being once above two thousand they were now come to be not above eight or nine hundred. So they resolved to return back to the west, where they knew the people were of their side; and where they could more easily disperse themselves, and get either into England or Ireland. The ministers were very busy in all those counties, plying people of rank not to forsake their brethren in this extremity. And they had got a company of about three or fourscore gentlemen together, who were marching towards them, when they heard of their defeat: and upon that they dispersed themselves. The rebels thought to have marched back by the way of Pentland Hill. They were not much concerned for the few horses they had. And they knew that Dalziel, whose horse was fatigued with a fortnight's constant march, could not follow them. And if they had gained but one night more in their march, they had got out of his reach. But on the twenty-eighth of November, about an hour before sunset, he came up to them. They were posted on the top of a hill: so he engaged with a great disadvantage. They, finding they could not get off, stopped their march. Their ministers did all they could by preaching and praying to infuse courage into them: and they sung the seventy-fourth and the seventy-eighth psalms. And so they turned on the king's forces. They received the first charge that was given by the troop of guards very resolutely, and put them in disorder. But that was all the action; for immediately they lost all order, and ran for their lives. It was now dark: about forty were killed on the spot and a hundred and thirty were taken. The rest were favoured by the darkness of the night, and the weariness of the king's troops, that were not in case to pursue them and had no great heart to it: for they were a poor harmless company of men, become mad by oppression: and they had taken nothing during all the time they had been together, but what had been freely given them by the country people. The rebellion was broken with the loss of only five on the king's side. The general came next day into Edinburgh with his prisoners.

The two archbishops were now delivered out of all their fears: and the common observation that cruelty and cowardice go together, was too visibly verified on this occasion. Lord Rothes came down full of rage: and that being inflamed by the two archbishops, he resolved to proceed with the utmost severity against the prisoners. Burnet advised the

hanging of all those who would not renounce the covenant, and promise to conform to the laws for the future : but that was thought too severe. Yet he was sent up to London, to procure of the king an instruction, that they should tender the declaration renouncing the covenant to all who were thought disaffected ; and proceed against those who refused that, as against seditious persons. The best of the episcopal clergy set upon the bishops, to lay hold on this opportunity for regaining the affections of the country, by becoming intercessors for the prisoners, and for the country, that was like to be quartered on and eaten up, for the favour they had expressed to them. Many of the bishops went into this, and particularly Wishart of Edinburgh, though a rough man, and sharpened by ill usage. Yet upon this occasion he expressed a very Christian temper, such as became one who had felt what the rigours of a prison had been ; for he sent every day very liberal supplies to the prisoners ; which was indeed done by the whole town, in so bountiful a manner, that many of them, who being shut up had neither air nor exercise, were in greater danger by their plenty, than they had been by all their unhappy campaign. But Sharp could not be mollified. On the contrary he encouraged the ministers, in the disaffected counties, to bring in all the informations they could gather, both against the prisoners, and against all those who had been among them, that they might be sought for, and proceeded against. Most of those got over to Ireland. But the ministers in those parts acted so ill a part, so unbecoming their characters, that the aversion of the country to them was increased to all possible degrees : they looked on them now as wolves, and not as shepherds. It was a moving sight to see ten of the prisoners hanged upon one gibbet at Edinburgh : thirty-five more were sent to their countries, and hanged up before their own doors ; their ministers all the while using them hardly, and declaring them damned for their rebellion. They might all have saved their lives, if they would have renounced the covenant : so they were really a sort of martyrs for it. They did all at their death give their testimony, according to their phrase, to the covenant, and to all that had been done pursuant to it : and they expressed great joy in their sufferings. Most of them were but mean and inconsiderable men in all respects : yet even these were firm and inflexible in their persuasions : many of them escaped, notwithstanding that great search was made for them. Guthry, the chief of their preachers, was hid in my mother's house, who was bred to her brother Wariston's principles, and could never be moved from them : he died next spring. One Maccail, that was only a probationer preacher, and who had been chaplain in sir James Steward's house, had gone from Edinburgh to them. It was believed, he was sent by the party in town, and that he knew their correspondents. So he was put to the torture, which in Scotland they call the boots ; for they put a pair of iron boots close on the leg, and drive wedges between these and the leg. The common torture was only to drive these in the calf of the leg : but I have been told they were sometimes driven upon the shin bone. He bore the torture with great constancy : and either he could say nothing, or he had the firmness not to discover those who had trusted him. Every man of them could have saved his own life, if he would accuse any other : but they were all true to their friends. Maccail, for all the pains of the torture, died in a rapture of joy : his last words were, " Farewell sun, moon, and stars, farewell kindred and friends, farewell world and time, farewell weak and frail body, welcome eternity, welcome angels and saints, welcome Saviour of the world, and welcome God the Judge of all ; " which he spoke with a voice and manner that struck all that heard it.

His death was the more cried out on, because it came to be known afterwards, that Burnet, who had come down before his execution, had brought with him a letter from the king, in which he approved of all that they had done ; but added, that he thought there was blood enough shed, and therefore he ordered that such of the prisoners, as should promise to obey the laws for the future, should be set at liberty, and that the incorrigible should be sent to the plantations. Burnet let the execution go on, before he produced his letter, pretending there was no council day between. But he, who knew the contents of it, ought to have moved the lord Rothes to call an extraordinary council to prevent the execution. So that blood was laid on him. He was, contrary to his natural temper, very violent at that time, much inflamed by his family, and by all about him. Thus this rebellion, that might have been so turned in the conclusion of it, that the clergy might have gained reputation and honour



by a wise and merciful conduct, did now exasperate the country more than ever against the church. The forces were ordered to lie in the west, where Dalziel acted the Muscovite too grossly. He threatened to spit men, and to roast them: and he killed some in cold blood, or rather in hot blood; for he was then drunk, when he ordered one to be hanged, because he would not tell where his father was, for whom he was in search. When he heard of any that did not go to church, he did not trouble himself to set a fine upon him: but he set as many soldiers upon him, as should eat him up in a night\*. By this means all people were struck with such a terror, that they came regularly to church. And the clergy were so delighted with it, that they used to speak of that time, as the poets do of the golden age. They never interceded for any compassion to their people; nor did they take care to live more regularly, or to labour more carefully. They looked on the soldiery as their patrons: they were ever in their company, complying with them in their excesses: and, if they were not much wronged, they rather led them into them, than checked them for them. Dalziel himself and his officers were so disgusted with them, that they increased the complaints, that had now more credit from them, than from those of the country, who were looked on as their enemies. Things of so strange a pitch in vice were told of them, that they seemed scarcely credible. The person, whom I believed the best as to all such things, was one sir John Cunningham, an eminent lawyer, who had an estate in the country, and was the most extraordinary man of his profession in that kingdom. He was episcopal beyond most men in Scotland, who for the far greatest part thought, that forms of government were in their own nature indifferent, and might be either good or bad according to the hands in which they fell; whereas he thought episcopacy was of a divine right, settled by Christ. He was not only very learned in the civil and canon law, and in the philosophical learning, but was very universal in all other learning: he was a great divine, and well read in the fathers, and in ecclesiastical history. He was, above all, a man of eminent probity, and of a sweet temper, and indeed one of the most pious men of the nation. The state of the church in those parts went to his heart: for it was not easy to know, how to keep an even hand between the perverseness of the people on the one side, and the vices of the clergy on the other. They looked on all those that were sensible of their miscarriages, as enemies of the church. It was after all hard to believe all that was set about against them.

The king's affairs in England forced him to soften his government every where. So at this time the earls of Tweedale and Kincardine went to court, and laid before the king the ill state the country was in. Sir Robert Murray talked often with him about it. Lord Lauderdale was more cautious by reason of the jealousy of his being a presbyterian. Upon all which the king resolved to put Scotland into other hands. A convention of estates had been called the year before, to raise money for maintaining the troops. This was a very ancient practice in the Scottish constitution: a convention was summoned to meet within twenty days: they could only levy money, and petition for the redress of grievances; but could make no new laws; and meddle only with that for which they were brought together. In the former convention Sharp had presided, being named by the earl of Rothes as the king's commissioner. In the winter 1666, or rather in the spring 1667, there was another convention called, in which the king, by a special letter, appointed duke Hamilton to preside. And the king, in a letter to lord Rothes, ordered him to write to Sharp to stay within his own diocese, and to come no more to Edinburgh. He upon this was struck with so deep a melancholy, that he shewed as great an abjectness under this slight disgrace, as he had shewed insolence before, when he had more favour. The convention continued the assessment for another year at 6,000*l.* a month. Sharp, finding he was now under a cloud, studied to make himself popular by looking after the education of the marquis of Huntley, now duke of Gordon. He had an order long before from the king to look to his education, that he

\* General Thomas Dalziel, or Dalzell, was a good soldier, and firm in his loyalty; what other merits he possessed are unknown to the editor. He never shaved his beard after the execution of Charles the First, it consequently descended almost to his girdle. He was taken prisoner by Cromwell at the battle of Worcester; but, after a long imprisonment, he escaped from the Tower, and

fought in the Russian service against the Tartars and Poles until the year 1665, when he was recalled by Charles the Second. He continued as lieutenant-general in Scotland until his death in 1685. Characteristic anecdotes of him are given in sir John Dalrymple's *Memoirs*, and in Captain Creighton's *Memoirs*, printed in Swift's *Works*.—Grainger's *Biog. History*.

might be bred a protestant ; for the strength of popery within that kingdom lay in his family. But, though this was ordered during the earl of Middleton's ministry, Sharp had not all this while looked after it. The earl of Rothes's mistress was a papist, and nearly related to the marquis of Huntley. So Sharp, either to make his court the better, or at the Lord Rothes's desire, had neglected it these four years : but now he called for him. He was then above fifteen, well hardened in his prejudices by the loss of so much time. What pains were taken on him, I know not. But, after a trial of some months, Sharp said, he saw he was not to be wrought on, and sent him back to his mother. So the interest that popery had in Scotland, was believed to be chiefly owing to Sharp's compliance with the earl of Rothes's amours. The neglect of his duty in so important a matter was much blamed : but the doing it upon such a motive was reckoned yet more infamous. After the convention was over, lord Rothes sent up Drummond to represent to the king the ill affections of the western parts. And, to touch the king in a sensible point, he said, the covenant stuck so deep in their hearts, that no good could be done till that was rooted out. So he proposed, as an expedient, that the king would give the council a power, to require all whom they suspected to renounce the covenant, and to proceed against such as refused it as traitors. Drummond had yet too much the air of Russia about him, though not with Dalziel's fierceness : he had a great measure of knowledge and learning, and some true impressions of religion : but he thought that upon such powers granted, there would be great dealing in bribes and confiscations. A slight accident happened, which raised a jest that spoiled his errand. The king flung the cover of the letter from Scotland into the fire, which was carried up all in a flame, and set the chimney on fire : upon which it was said, that the Scotch letter had fired Whitehall : and it was answered, the cover had almost set Whitehall on fire, but the contents of it would certainly set Scotland all in a flame. It was said that the law for renouncing the covenant, inferring only a forfeiture of employments, to those who refused it, the stretching it so far as was now proposed would be liable to great exception. Yet in compliance with a public message the instruction was sent down as it was desired : but by a private letter lord Rothes was ordered to make no use of it, except upon a special command ; since the king had only given way to what was desired, to strike terror into the ill affected. The secret of it broke out : so it had no effect, but to make the lord Rothes and his party more odious. Burnet, upon Sharp's disgrace, grew to be more considered. So he was sent up with a proposition of a very extraordinary nature, that the western counties should be cantoned under a special government, and peculiar taxes, together with the quartering of soldiers upon them. It was said, that those counties put the nation to the charge of keeping up such a force : and therefore it seemed reasonable that the charge should lie wholly on them. He also proposed that a special council should be appointed to sit at Glasgow : and, among other reasons to enforce that motion, he said to the king, and afterwards to lord Lauderdale, that some at the council board were ill affected to the church, and favoured her enemies, and that traitors had been pleaded for at that board. Lord Lauderdale wrote down presently to know what ground there was for this ; since, if it was not true, he had Burnet at mercy for leasing-making, which was more criminal when the whole council was concerned in the lie that was made. The only ground for this was, that one of the rebels, excepted in the indemnity that was proclaimed some time before, being taken, and, it being evident that his brain was turned, it was debated in council, whether he should be proceeded against, or not : some argued against that, and said, it would be a reproach to the government to hang a madman. This could in no sort justify such a charge : so lord Lauderdale resolved to make use of it in due time. The proposition itself was rejected, as that which the king could not do by law. Burnet upon this went to the lord Clarendon, and laid before him the sad state of their affairs in Scotland. He spoke to the king of it : and he took care to set the English bishops on the king, with whom Burnet had more credit, as more entirely theirs, than ever Sharp had. The earl of Clarendon's credit was then declining : and it was a clear sign of it, when the king told lord Lauderdale all that he had said to him on Scotch affairs, which provoked him extremely. Burnet was sent down with good words : but the king was resolved to put the affairs of Scotland under another management. Lord Kincardine came down in April, and told me that the Lord Rothes was to

be stripped of all his places, and to be only lord chancellor. The earl of Tweeddale and sir Robert Murray were to have the secret in their hands. He told me, the peace was as good as made: and when that was done, the army would be disbanded; and things would be managed with more temper both in church and state. This was then so great a secret that neither the Lord Rothes, nor the two archbishops, had the least hint of it. Some time after this, lord Rothes went to the north: upon which an accident happened that hastened his fall.

The Scots had, during the war, set out many privateers; and these had brought in many rich prizes. The Dutch, being provoked with this, sent Van Ghendt with a good fleet into the Frith, to burn the coast, and to recover such ships as were in that part. He came into the Frith on the first of May. If he had at first hung out English colours, and attacked Leith harbour immediately, which was then full of ships, he might have done what mischief he pleased: for all were secure, and were looking for sir Jeremy Smith with some frigates, for the defence of the coast, since the king had set out no fleet this year. There had been such a dissipation of treasure, that, for all the money that was given, there was not enough left to set out a fleet. But the court covered this by saying, the peace was as good as concluded at Breda, where the lord Hollis and sir William Coventry were treating about it as plenipotentiaries: and though no cessation was agreed on, yet they reckoned on it as sure. Upon this, a saying of the earl of Northumberland's was much repeated: when it was said, that the king's mistress was like to ruin the nation, he said, it was she that saved the nation. While we had a house of commons that gave all the money that was asked, it was better to have the money squandered away in luxury and prodigality, than to have it saved for worse purposes. Van Ghendt did nothing in the Frith for some hours: he shot against Bruntisland without doing any mischief. The country people ran down to the coast, and made a great show. But this was only a feint, to divert the king from that which was chiefly intended: for he sailed out, and joined De Ruyter: and so the shameful attack was made upon the river of Medway: the chain at the mouth of it, which was then all its security, was broken: and the Dutch fleet sailed up to Chatham: of which I will say no more in this place, but go on with the affairs of Scotland.

Lord Rothes being out of the way when the country was in such danger, was severely aggravated by the lord Lauderdale, and did bring on the change somewhat the sooner. In June, sir Robert Murray came down with a letter from the king superseding lord Rothes's commission, putting the treasury in commission, and making lord Rothes lord chancellor. He excused himself from being raised to that post all he could; and desired to continue lord treasurer: but he struggled in vain, and was forced to submit at last. Now all was turned to a more sober, and more moderate management. Even Sharp grew meek and humble: and said to myself, "it was a great happiness to have to deal with sober and serious men; for lord Rothes and his crew were perpetually drunk." When the peace of Breda was concluded, the king wrote to the Scotch council, and communicated that to them; and with that signified, that it was his pleasure that the army should be disbanded. The earl of Rothes, Burnet, and all the officers, opposed this much. The rebellious disposition of the western counties was much aggravated: it seemed necessary to govern them by a military power. Several expedients were proposed on the other hand. Instead of renouncing the covenant, in which they pretended there were many points of religion concerned, a bond was proposed for keeping the peace, and against rising in arms. This seemed the better test; since it secured the public quiet, and the peace of the country, which was at present the most necessary: the religious part was to be left to time, and good management. So an indemnity of a more comprehensive nature was proclaimed: and the bond was all the security that was demanded. Many came into the bond: though there were some among them that pretended scruples: for, it was said, peace was a word of a large extent: it might be pretended, that obeying all the laws was implied in it. Yet the far greater number submitted to this. Those who were disturbed with scruples were a few melancholy inconsiderable persons.

In order to the disbanding the army with more security it was proposed, that a county militia should be raised, and trained for securing the public peace. The two archbishops



did not like this : they said, the commons, of whom the militia must be composed, being generally ill affected to the church, this would be a prejudice rather than a security. But, to content them, it was concluded that in counties that were ill affected there should be no foot raised, and only some troops of horse. Burnet complained openly, that he saw episcopacy was to be pulled down, and that in such an extremity he could not look on, and be silent. He wrote upon these matters a long and sorrowful letter to Sheldon : and upon that Sheldon wrote a very long one to sir R. Murray ; which I read, and found more temper and moderation in it, than I could have expected from him. Murray had got so far into his confidence, and he seemed to depend so entirely on his sincerity, that no informations against him could work upon Sheldon. Upon Burnet's carrying things so high, Sharp was better used and was brought again to the council board, where he began to talk of moderation : and in the debate concerning the disbanding the army, he said, it was better to expose the bishops to whatsoever might happen, than to have the kingdom governed for their sakes by a military power. Yet in private he studied to possess all people with prejudices against the persons then employed, as the enemies of the church. At that time lord Lauderdale got the king to write to the privy council, letting them know that he had been informed traitors had been pleaded for at that board. This was levelled at Burnet. The council in their answer, as they denied the imputation, so they desired to know, who it was that had so aspersed them. Burnet, when the letter was offered to him to be signed by him, said, he could not say traitors had never been pleaded for at that board, since he himself had once pleaded for one, and put them in mind of the particular case. After this he saw how much he had exposed himself, and grew tamer. The army was disbanded : so lord Rothes's authority as general, as well as his commission, was now at an end, after it had lasted three years. The pretence of his commission was the preparing matters for a national synod : yet in all that time there was not one step made towards one : for the bishops seemed concerned only for their authority, and their revenues, and took no care of regulating, either the worship, or the discipline. The earls of Rothes and Tweeddale went to court. The former tried what he could do, by the duke of Monmouth's means, who had married his niece. But he was then young, and was engaged in a mad ramble after pleasure, and minded no business. So lord Rothes saw the necessity of applying himself to lord Lauderdale : and he did dissemble his discontent so dexterously, that he seemed well pleased to be freed from the load of business, that lay so heavy upon him. He moved to have his accounts of the treasury passed, to which great exceptions might have been made ; and to have an approbation passed under the great seal of all he had done while he was the king's commissioner. Lord Tweeddale was against both ; and moved, that he should be for some time kept under the lash : he knew, that, how humble soever he was at that time, he would be no sooner secured from being called to an account for what was passed, than he would set up a cabal in opposition to every thing ; whereas they were sure of his good behaviour, as long as he continued to be so obnoxious. The king loved lord Rothes : so the earl of Lauderdale consented to all he asked. But they quickly saw good cause to repent of their forwardness.

At this time a great change happened in the course of the earl of Lauderdale's life, which made the latter part of it very different from what the former had been. Mr. Murray, of the bed-chamber, had been page and whipping-boy to king Charles the First ; and had great credit with him, not only in procuring private favours, but in all his counsels. He was well turned for a court, very insinuating, but very false ; and of so revengeful a temper, that rather than any of the counsels given by his enemies should succeed, he would have revealed them, and betrayed both the king and them. It was generally believed, that he had discovered the most important of all his secrets to his enemies. He had one particular quality, that when he was drunk, which was very often, he was upon a most exact reserve, though he was pretty open at all other times. He got a warrant to be an earl, which was signed at Newcastle. Yet he got the king to antedate it, as if it had been signed at Oxford, to get the precedence of some whom he hated : but he did not pass it under the great seal during that king's life, but did it after his death ; so his warrant, not being passed, died with the king. His eldest daughter, to whom his honour, such as it was, descended, married sir

Lionel Tollmash of Suffolk, a man of a noble family. After her father's death, she took the title of countess of Dysart. She was a woman of great beauty, but of far greater parts. She had a wonderful quickness of apprehension, and an amazing vivacity in conversation. She had studied not only divinity and history, but mathematics and philosophy. She was violent in every thing she set about, a violent friend, but a much more violent enemy. She had a restless ambition, lived at a vast expense, and was ravenously covetous; and would have stuck at nothing by which she might compass her ends. She had been early in a correspondence with lord Lauderdale, that had given occasion to censure. When he was prisoner after Worcester fight, she made him believe he was in great danger of his life, and that she saved it by her intrigues with Cromwell: which was not a little taken notice of. Cromwell was certainly fond of her, and she took care to entertain him in it; till he, finding what was said upon it, broke it off. Upon the king's restoration, she thought that lord Lauderdale made not those returns that she expected. They lived for some years at a distance. But upon her husband's death she made up all quarrels: so that lord Lauderdale and she lived so much together, that his lady was offended at it, and went to Paris, where she died about three years after. The lady Dysart came to have so much power over the lord Lauderdale, that it lessened him much in the esteem of all the world; for he delivered himself up to all her humours and passions. All applications were made to her: she took upon her to determine every thing: she sold all places, and was wanting in no methods that could bring her money, which she lavished out in a most profuse vanity. As the conceit took her, she made him fall out with all his friends, one after another: with the earls of Argyle, Tweeddale, and Kincardine, with duke Hamilton, the marquis of Athol, and sir Robert Murray, who all had their turns in her displeasure, which very quickly drew lord Lauderdale's after it. If after such names it is not a presumption to name myself, I had my share likewise. From that time, to the end of his days, he became quite another sort of man than he had been, in all the former parts of his life. Sir Robert Murray had been designed by her father to be her husband, and was long her true friend. She knew his integrity was proof against all attempts. He had been hitherto the lord Lauderdale's chief friend, and main support. He had great esteem paid him, both by the king and by the whole court; and he employed it all for the earl of Lauderdale's service. He used great freedom with him at proper times; and was a faithful adviser, and reprovener as far as the other could bear it. Lady Dysart laid hold on his absence in Scotland to make a breach between them. She made lord Lauderdale believe, that Murray assumed to himself the praise of all that was done, and was not ill pleased to pass as his governor. Lord Lauderdale's pride was soon fired with those ill impressions.

The government of Scotland had now another face. All payments were regularly made: there was an overplus of 10,000*l.* of the revenue saved every year. A magazine of arms was bought with it: and there were several projects set on foot for the encouragement of trade and manufactures. Lord Tweeddale and sir Robert Murray were so entirely united, that, as they never disagreed, so all plied before them. Lord Tweeddale was made a privy councillor in England: and, his son having married the earl of Lauderdale's only child, they seemed to be inseparably united. When he came down from London, he brought a letter from the king to the council, recommending the concerns of the church to their care: in particular, he charged them to suppress conventicles, which began to spread generally through the western counties: for upon the disbanding the army, the country, being delivered from that terror, did now forsake their churches, and got their old ministers to come among them; and they were not wanting in holding conventicles from place to place. The king wrote also by him a letter to Sharp with his own pen, in which he assured him of his zeal for the church, and of his favour to himself. Lord Tweeddale hoped this would have gained him to his side: but he was deceived in it. Sharp quickly returned to his former insolence. Upon the earl of Tweeddale's return, there was a great application to public business: no vice was in reputation: justice was impartially administered: and a commission was sent to the western counties to examine into all the complaints of unjust and illegal oppressions by Turner, Dalziel, and others. Turner's warrants had been seized with himself: and, though upon the defeat given the Whigs he was left by them, so that, beyond all men's expectations, he

escaped out of their hands, yet he had nothing to justify himself by. The truth is, this inquiry was chiefly levelled at lord Rothes and Burnet, to cast the odium of the late rebellion on their injustice and ill conduct. And it was intended that Turner should accuse them; but he had no vouchers to shew. These were believed to be withdrawn by an artifice of the lord Rothes. But, before the matter was quite ended, those in whose hands his papers were left, sent them sealed up to his lodgings. But he was by that time broken. So since the government had used him hardly, he, who was a man of spirit, would not show his vouchers nor expose his friends. So that matter was carried no farther. And the people of the country cried out against those censures. It was said, that when by such violent proceedings men had been inflamed to a rebellion, upon which so much blood was shed, all the reparation given was, that an officer or two were broken; and a great man was taken down a little upon it, without making any public examples for the deterring others.

Sir Robert Murray went through the west of Scotland. When he came back, he told me, the clergy were such a set of men, so ignorant, and so scandalous, that it was not possible to support them, unless the greatest part of them could be turned out, and better men found to be put in their places. But it was not easy to know how this could be done. Burnet had placed them all: and he thought himself in some sort bound to support them. The clergy were so linked together, that none of them could be got to concur in getting proofs of crimes brought against their brethren. And the people of the country pretended scruples. They said, to accuse a minister before a bishop was an acknowledging his jurisdiction over his clergy, or, to use a hard word much in use among them, it was *homologating* his power. So Murray proposed, that a court should be constituted by a special commission from the king, made up of some of the laity as well as the clergy, to try the truth of these scandalous reports that went upon the clergy: and he wrote about it to Sheldon, who approved of it. Sharp also seemed well pleased with it, though he abhorred it in his heart: for he thought it struck at the root of their authority, and was Erastianism in the highest degree. Burnet said, it was a turning him out of his bishopric, and the declaring him either incapable of judging his clergy, or unworthy of that trust. His clergy cried out upon it; and said, it was a delivering them up to the rage of their enemies, who hated them only for the sake of their functions, and for their obedience to the laws; and that, if irregular methods were taken to encourage them, they would get any thing, true or false, to be sworn against them. The difficulties that arose upon this put a stop to it. And the earl of Lauderdale's aversion to sir Robert Murray began a disjointing of all the councils of Scotland. Lord Tweeddale had the chief confidence: and next him, lord Kincardine was most trusted. The presbyterians seeing a softening in the execution of the law, and observing that the archbishops were jealous of lord Tweeddale, fancied he was theirs in his heart. Upon that they grew very insolent. The clergy were in many places ill used by them. They despaired of any farther protection from the government. They saw designs were forming to turn them all out: and, hearing that they might be better provided in Ireland, they were in many places brought out, and prevailed on to desert their cures. The people of the country hoped, that, upon their leaving them, they might have their old ministers again; and upon that were willing enough to enter into those bargains with them: and so in a very little time there were many vacancies made all over those counties. The lord Tweeddale took great pains to engage Leighton into the same counsels with him. He had magnified him highly to the king, as much the greatest man of the Scotch clergy. And the lord Tweeddale's chief aim with relation to church matters, was to set him at the head of them: for he often said to me, that more than two parts in three of the whole business of the government related to the church. So he studied to bring in a set of episcopal men of another stamp, and to set Leighton at their head. He studied to draw in Mr. Charteris. But he had such sad thoughts of mankind, and such humble ones of himself, that he thought little good could be done, and that as to that little he was not a proper instrument. Leighton was prevailed on to go to London, where, as he told me, he had two audiences of the king. He laid before him the madness of the former administration of church affairs, and the necessity of turning to more moderate counsels: in particular, he proposed a comprehension of the presbyterian party, by altering



the terms of the laws a little, and by such abatements as might preserve the whole for the future, by granting somewhat for the present. But he entered into no expedients; only he studied to fix the king in the design that the course of his affairs led him to, though contrary to his own inclinations, both in England and Scotland. In order to the opening this, I must change the scene.

The Dutch war had turned so fatally on the king, that it made it necessary for him to try how to recover the affections and esteem of his people. He found a slackening the execution of the law went a great way, in the city of London, and with the trading part of the nation. The house of commons continued still in their fierceness and aversion to all moderate propositions; but in the intervals of parliament the execution was softened. The earl of Clarendon found his credit was declining, that all the secrets of state were trusted to Bennet, and that he had no other share in them than his post required. The lady Castlemain set herself most violently against him; and the duke of Buckingham, as often as he was admitted to any familiarities with the king, studied with all his wit and humour to make lord Clarendon and all his counsels appear ridiculous. Lively jests were at all times apt to take with the king. The earl of Clarendon fell under two other misfortunes before the war broke out. The king had granted him a large piece of ground near St. James's to build a house on: he intended a good ordinary house; but, not understanding those matters himself, he put the managing of that into the hands of others, who ran him into a vast charge, of about 50,000*l.*, three times as much as he had designed to lay out upon it. During the war, and in the plague year, he had about three hundred men at work, which he thought would have been an acceptable thing, when so many men were kept at work, and so much money, as was duly paid, circulated about. But it had a contrary effect; it raised a great outcry against him. Some called it Dunkirk house, intimating that it was built by his share of the price of Dunkirk. Others called it Holland house, because he was believed to be no friend to the war: so it was given out, that he had the money from the Dutch. It was visible, that in a time of public calamity he was building a very noble palace. Another accident was, that before the war there were some designs on foot for the repairing of St. Paul's; and many stones were brought thither. That project was laid aside during the war. He upon that bought the stones, and made use of them in building his own house. This, how slight soever it may seem to be, yet had a great effect by the management of his enemies\*.

Another misfortune was, that he lost his chief friend, to whom he trusted most, and who was his greatest support, the earl of Southampton. The pain of the stone grew upon him to such a degree, that he had resolved to be cut: but a woman came to him, who pretended she had an infallible secret of dissolving the stone, and brought such vouchers to him, that he put himself into her hands. The medicine had a great operation, though it ended fatally; for he passed great quantities of gravel, that looked like the coats of a stone sliced off. This encouraged him to go on, till his pains increased so, that no man was ever seen to die in such torments: which made him oft tremble all over, so that the bed shook with it: yet he bore it with an astonishing patience. He not only kept himself from saying any indecent thing, but endured all that misery with the firmness of a great man, and the submission of a good Christian. The cause of all appeared when he was opened after his death: for the medicine had stripped the stone of its outward slimy coats, which made it lie soft and easy upon the muscles of the bladder; whereas, when these were dissolved, the inner and harder parts of the stone, that were all ragged by the dissolution that was begun, lay upon the neck

\* Clarendon, it seems, observed to sir Stephen Fox—*"If my friends can but forgive me the folly of the great house, there is nothing they may not well defend me upon against my enemies."*—Oxford ed. of this work. The earl of Dartmouth has left recorded, that he heard the earl of Carberry say, he did not know a single crime committed by Clarendon; but he well knew that if he brought charges against the chancellor, he had so many enemies that he should not fail for want of assistance to substantiate them.—*Ibid.* The same authority states, that the

first assurance to the courtiers of the chancellor's being in disfavour with the king, was the latter permitting Henry Killigrew to mimic him. This wit and humorist imitated him very closely both as to voice and gesture, and the burlesque was rendered more ridiculous by his having others to carry the fire-shovel before him as a mace, whilst he bore the bellows instead of the official purse. The duchess of Cleveland took care to let the chancellor know the insult that was thus offered him, with the hope that he would indignantly retire from office.

of the bladder, which raised those violent pains of which he died \*. The court was now delivered of a great man, whom they did not much love, and who they knew did not love them. The treasury was put in commission; and the earl of Clarendon had no interest there †. He saw the war, though managed by other counsels, yet was like to end in his ruin: for all errors were cast on him. The business of Chatham was a terrible blow; and though the loss was great, the infamy was greater. The parliament had given above five millions towards the war; but, through the luxury and waste of the court, this money was so squandered away, that the king could neither set out a fleet, nor defend his coasts. Upon the news of the Dutch fleet's being in the river, the king did not ride down himself, nor appear at the head of his people, who were then in such imminent danger. He only sent the duke of Albemarle down, and was intending to retire to Windsor. But that looked so like a flying from danger, that he was prevailed on to stay. And it was given out, that he was very cheerful that night at supper with his mistresses, which drew many libels upon him, that were written with as much wit as malice, and brought him under a general contempt. He was compared to Nero, who sang while Rome was burning. A day or two after that he rode through London, accompanied with the most popular men of his court, and assured the citizens he would live and die with his people, upon which there were some acclamations; but the matter went heavily. The city was yet in ashes; and the jealousy of burning it on design had got so among them, that the king himself was not free from suspicion. If the Dutch had pursued their advantage in the first consternation, they might have done more mischief, and have come a great way up the Thames, and burnt many merchant ships; but they thought they had done enough, and so they sailed away. The court was at a stand what to do, for the French had assured them the treaty was as good as finished. Whether the French set this on, as that which would both weaken the fleet of England, and alienate the king so entirely from the Dutch, that he would be easily engaged into new alliances to revenge this affront, as many believed, I cannot pretend to determine ‡.

\* It is not within the compass of a note to detail the character given of Thomas Wrothesley, earl of Southampton, by him who knew him best, his intimate friend lord Clarendon. "He was a person," says this authority, "of extraordinary parts, of faculties very discerning, and judgment very profound, great eloquence, without the least affectation of words, for he always spoke best on the sudden. He was naturally melancholy, and reserved in his conversation, except towards those with whom he was well acquainted; with these he was not only cheerful, but occasionally light and pleasant. He was naturally lazy, and indulged over much ease to himself; yet no man could keep his mind longer bent, or take more pains. In the treaty of Uxbridge, which was a continued fatigue of twenty days, he never slept four hours in a night, who had never used to allow himself less than ten; and at the end of the treaty was more vigorous than in the beginning. He was a man of exemplary loyalty, courage, virtue, and piety."—See anecdotes of him in *Continuation of Clarendon's Life*. He died in May, 1667.

† This commission was in opposition to Clarendon's wishes. The conversation between him, the king, and the duke of York, is given in the "*Continuation of Clarendon's Life*." The commissioners were the duke of Albemarle, sir John Duncombe, lord Ashley, and sir Thomas Clifford.

‡ The descent made upon the Dutch coast, at Vly, or Flie, by our fleet, has been already mentioned; and M. De Witt often said, that for this injury and insult, before any peace was concluded, "the Dutch would leave some such mark of their having been upon the English coast, as the English had left of their visit upon that of Holland." To carry this threat into effect, whilst the treaty at Breda was proceeding, De Ruyter, having a fair wind, steered for the Thames. The inhabitants of the Kentish coast, upon the appearance of the

Dutch fleet, fled into the interior. It happened that the earl of Winchelsea, then lord lieutenant of the county, was absent, as our ambassador in Turkey; and the deputy-lieutenants would not any of them venture to take the chief command. The king immediately sent down lieutenant-general Middleton, with a commission to draw together the train-bands, and to command all the forces raised. He assembled these forces at Rochester. "There had been enough discourse all that year of erecting a fort at Sheerness for the defence of the river. The king had made two journeys thither in the winter, and had given such orders to the commissioners of the ordnance respecting the fortifications, that every body believed the work was done. But whatever had been thought or directed, very little had been done. There were a company or two of very good soldiers there under excellent officers, but the fortifications were so weak and unfinished, and all other provisions so entirely wanting, that the Dutch cannon soon beat all the works flat, and drove all the men from the ground." This naturally raised the nation's indignation, and roused the enervated court; the duke of Albemarle marched to Chatham with the guards and other hastily-collected troops. When he arrived there he found general Middleton occupying a strong position, and with a chain passed across the river; but these were ill-judged precautions. The Dutch were too wise to land, and as soon as the tide served, the ships broke through the chain without difficulty. The great oversight and folly was, that no cannon were sent down to the place endangered, for the troops without these could only march parallel to the advancing ships, who were without the range of musketry. "There were two or three ships of the royal navy, negligently, if not treacherously, left in the river, which might have been very easily drawn into safety, and could be of no imaginable use where they then were." The duke of Albemarle put himself and a band of brave

The earl of Essex was at that time in Paris, on his way home from the waters of Bourbon; and he told me, the queen-mother of England sent for him, as being one of her son's privy council, and told him, the Irish had sent over some to the court of France, desiring money and arms with some officers, and undertook to put that island into the hands of the French. He told me, he found the queen was in her inclinations and advices true to her son's interest: but he was amazed to see, that a woman, who in a drawing-room was the liveliest woman of the age, and had a vivacity of imagination that surprised all who came near her, yet after all her practice in affairs had so little either of judgment, or conduct; and he did not wonder at the miscarriage of the late king's counsels, since she had such a share in them. But the French had then greater things in view. The king of Spain was dead. And now after the French had managed the war so, that they had been at no part of the expence of it, nor brought a ship to the assistance of the Dutch in any engagement, and that both England and Holland had made a great loss both in ships and treasure, they resolved to manage the peace so, as to oblige the king by giving him a peace, when he was in no condition to carry on a war. I enter not into our negotiation with the bishop of Munster, nor his treacherous departing from his engagements, since I know nothing of that matter, but what is in print.

As soon as the peace was made, the king saw with what disadvantage he was likely to meet his parliament. So he thought, the disgracing a public minister, who by his being long in so high a post had drawn upon himself much envy, and many enemies, would cover himself and the rest of his court. Other things concurred to set this forward. The king was grown very weary of the queen; and, it was believed, he had a great mind to be rid of her. The load of that marriage was cast on the lord Clarendon, as made on design to raise his own grandchildren. Many members of the house of commons, such as Clifford, Osborn, Ker, Littleton, and Seymour, were brought to the king; who all assured him, that upon his restoration, they intended both to have raised his authority, and to have increased his revenue; but that the earl of Clarendon had discouraged it, and that all his creatures had possessed the house with such jealousies of the king, that they thought it was not fit to trust him too much, nor too far. This made a deep impression on the king, who was weary of lord Clarendon's imposing way, and had a mind to be freed from the authority, to which he had been so long accustomed, that it was not easy to keep him within bounds.

Yet the king was so afraid to engage himself too deep in his own affairs, that it was a doubt whether he would dismiss him or not, if a concern of one of his amours had not sharpened his resentment; so that what other considerations could not do, was brought about by an ill-grounded jealousy. Mistress Stewart had gained so much on the king, and yet had kept her ground with so much firmness, that the king seemed to design if possible to legitimate his addresses to her\*, when he saw no hope of succeeding any other way. The duke of Richmond, being a widower, courted her. The king seemed to give way to it, and

young gentlemen into one, but was persuaded to leave it, as it would be a useless sacrifice of their lives if they attempted to defend it. These vessels and some laden merchantmen were burnt by the Dutch; and, without doubt, if they had prosecuted the present advantage they had with the necessary circumspection and courage, they might have fired the royal navy at Chatham, and taken or destroyed all the ships that lay higher in the river; but they thought they had done enough, and so returned with the obb." "The distraction and consternation of the court and city was as great as if the Dutch had been not only masters of the river, but had really landed an army of one hundred thousand men. They who remember that conjuncture, and were present in the galleries and privy lodgings at Whitehall, whither all the world flocked with equal liberty, can easily call to mind many instances of such wild despair, and ridiculous apprehensions, that I am willing to forget, and would not that the least mention of them should remain. If the king's and duke's personal composure had not restrained men from expressing their fears, there wanted not some who would have advised

them to leave the city." The Dutch made a demonstration as if they intended to make a similar descent upon the coasts of Essex and Suffolk, whither the duke of York went to take the command; but this proceeded no further than the insult.—Clarendon's Continuation of his Life, ii. 420. According to the duke of Albemarle's statement, laid before the house of commons, the chief blame of the Dutch doing even the small damage they did, was to be attributed to commissioner Pett.—Chandler's Debates in House of Commons, i. 114. At the same time the house shewed by its vote that they felt the chief blame was with the government, for, notwithstanding the liberal supplies to maintain the navy, "there was not a sufficient number of ships left to secure the rivers Medway and Thames." The most authentic narrative of the proceedings in parliament upon this and other "miscarriages," is in "Grey's Debates," i. 23, &c. Pett was impeached, but the proceedings fell to the ground. Ibid. 39.

\* That was by divorcing his queen, and marrying this lady.



pretended to take such care of her, that he would have good settlements made for her. He hoped by that means to have broken the matter decently; for he knew the duke of Richmond's affairs were in disorder. So the king ordered lord Clarendon to examine the estate he pretended to settle. But he was told, whether true or false I cannot tell, that lord Clarendon told her, that the duke of Richmond's affairs, it was true, were not very clear; but that a family so nearly related to the king could never be left in distress, and that such a match would not come in her way every day; so she had best consider well, before she rejected it. This was carried to the king, as a design he had that the crown might descend to his own grandchildren; and that he was afraid, lest strange methods should be taken to get rid of the queen, and to make way for her. When the king saw that she had a mind to marry the duke of Richmond, he offered to make her a duchess, and to settle an estate on her. Upon this she said, she saw she must either marry him, or suffer much in the opinion of the world. And she was prevailed on by the duke of Richmond, who was passionately in love with her, to go privately from Whitehall, and marry him without giving the king notice. The earl of Clarendon's son, the lord Cornbury, was going to her lodgings, upon some assignation that she had given him about her affairs, knowing nothing of her intentions. He met the king in the door coming out full of fury; and he, suspecting that lord Cornbury was in the design, spoke to him as one in a rage that forgot all decency, and for some time would not hear lord Cornbury speak in his own defence. In the afternoon he heard him with more temper, as he himself told me. Yet this made so deep an impression, that he resolved to take the seals from his father. The king said to the lord Lauderdale, that he had talked of the matter with Sheldon, and that he convinced him, that it was necessary to remove lord Clarendon from his post\*; and, as soon as it was done, the king sent for Sheldon, and told him what he had done. But he answered nothing. When the king insisted, to oblige him to declare himself, he said, "Sir, I wish you would put away this woman that you keep." The king upon that replied sharply, why had he never talked to him of that sooner, but took this occasion now to speak of it. Lauderdale told me, he had all this from the king; and that the king and Sheldon had gone into such expostulations upon it, that from that day forward Sheldon could never recover the king's confidence.

The seals were given to sir Orlando Bridgman, lord chief justice of the common pleas,

\* Clarendon was displaced through the influence of his inveterate enemy, the duchess of Cleveland, aided by the intrigues of sir William Coventry, Mr. Brouncker, Mr. May, and others, who favoured the Roman Catholic party. Charles sent the duke of York to persuade Clarendon to resign the seals, for he was very willing to sneak away from the commission of the resolved injustice of disgracing so able, so faithful, and so old a servant. But the chancellor requested an audience, and then personally told Charles, with the dignity natural to integrity, that he had no suit to prefer, or arguments to divert the resolution that had been taken, but humbly to request that he might be informed what fault he had committed that had drawn upon him his majesty's severity. The king acknowledged he had nothing to object to him, for he had been faithful and honest, and he believed that never king had a better servant, but that he intended to remove him from office to assuage the anger of the parliament, and secure him from its attacks. Moreover that, he believed that he himself wished to resign. To this Clarendon replied, that he would never have it understood, that he had willingly delivered up the seals at a time when his majesty stood in need of honest advisers; and that he would never acknowledge the removal to be for his benefit, because it was a declaration, on the part of his majesty, that he was blameworthy. As to the anger of the parliament, he did not fear that, for he had never acted in any transaction in a way that he feared to be judged strictly by the law; and if the parliament should act injudiciously, the king had a controlling power. In conclusion, said the chancellor,

"I doubt very much that the throwing off an old servant, who has served the crown in some trust near thirty years, without any suggestion of a crime, nay, with a declaration of innocence, will call your majesty's justice and good-nature in question; and men will not know how securely to serve you, when they see it is in the power of three or four persons who had never done you any notable service, nor were in the opinion of those who knew them likely to do so, to dispose your majesty to so ungracious an act." In the warmth of his remonstrance, Clarendon says, he had an opportunity to mention the duchess of Cleveland, "with some reflections and cautions, which he might more advisedly have declined." The king was immovable in his resolution, and the conference, after lasting two hours, terminated. "The garden, that used to be private, had now many in it to observe the countenance of the king, when he came from the room; and when the chancellor retired, the duchess of Cleveland, lord Arlington, and Mr. May, looked together out of her open window with great gaiety and triumph."—Clarendon's Continuation of his Life, 438, &c. The insult was so marked, and before so many, that Clarendon could not restrain himself from addressing to her the rebuke—"Madam, if you live, you will grow old:" a reflection which would bear with it a warning, and a bitter anticipation. On the 30th of August, 1667, Mr. Secretary Maurice reluctantly brought to Clarendon a message requiring him to resign the seal. No sooner was it delivered to the king in his closet, than Mr. May came and kissed his majesty's hand, telling him "he was now king, which he had never been before."

then in great esteem, which he did not maintain long after his advancement. His study and practice lay so entirely in the common law, that he never seemed to apprehend what equity was; nor had he a head made for business, or for such a court. He was a man of great integrity, and had very serious impressions of religion on his mind. He had been always on the side of the church; yet he had great tenderness for the nonconformists: and the bishops having all declared for lord Clarendon, except one or two, he, and the new scene of the ministry, were inclined to favour them\*. The duke of Buckingham, who had been in high disgrace before lord Clarendon's fall, came upon that into high favour, and set up for a patron of liberty of conscience, and of all the sects. The see of Chester happened to fall vacant soon after; and Doctor Wilkins was by his means promoted to that see. It was no small prejudice to him, that he was recommended by so bad a man. Wilkins had a courage in him that could stand against a current, and against all the reproaches with which ill-natured clergymen studied to load him. He said, he was called for by the king, without any motion of his own, to a public station, in which he would endeavour to do all the good he could, without considering the ill effects that it might have on himself. The king had such a command of himself, that when his interest led him to serve any end, or to court any sort of men, he did it so dexterously, and with such an air of sincerity, that till men were well practised in him, he was apt to impose on them. He seemed now to go into moderation and comprehension with so much heartiness, that both Bridgman and Wilkins believed he was in earnest in it: though there was nothing that the popish counsels were more fixed in, than to oppose all motions of that kind. But the king saw it was necessary to recover the affections of his people. And, since the church of England was now gone off from him, upon lord Clarendon's disgrace, he resolved to shew some favour to the sects, both to soften them, and to force the others to come back to their dependence upon him.

He began also to express his concerns in the affairs of Europe; and he brought about the peace between Spain and Portugal. The French king pretended, that by the law of Brabant, his queen, as the heir of the late king of Spain's first marriage, though a daughter, was to be preferred to the young king of Spain, the heir of the second venter, without any regard to the renunciation of any succession to his queen, stipulated by the peace of the Pyrenees; and was upon that pretension like to overrun the Netherlands. Temple was sent over to enter into an alliance with the Dutch, by which some parts of Flanders were yielded up to France, but a barrier was preserved for the security of Holland†. Into this the king of Sweden, then a child, was engaged; so it was called the Triple Alliance. I will say no more of that, since so particular an account is given of it by him who could do it best, Temple himself. It was certainly the masterpiece of king Charles's life; and, if he had stuck to it, it would have been both the strength and the glory of his reign. This disposed his people to forgive all that was passed, and to renew their confidence in him, which was much shaken by the whole conduct of the Dutch war.

The parliament were upon their first opening set on to destroy lord Clarendon. Some of his friends went to him a few days before the parliament met, and told him, many were at work to find out matter of accusation against him. He best knew, what could be brought against him with any truth; for falsehood was infinite, and could not be guessed at. They desired he would trust some of them with what might break out, since probably nothing could lie concealed against so strict a search. And the method in which his friends must manage for him, if there was any mixture or alloy in him, was to be very different from that they could use, if he was sure that nothing could be brought out against him. The lord Burlington and bishop Morley both told me, they talked to this purpose to him. Lord

\* Sir Orlando Bridgman was a son of Dr. Bridgman, bishop of Chester. Whilst only a pleader his practice was very extensive. Mr. Johnson, his clerk, the editor of his "Conveyances," says, in the preface, he was "the great oracle, not only of his fellow-sufferers, but of the whole nation, in matters of law; his very enemies not thinking their estates secure without his advice." At the Restoration, Bridgman was made lord chief baron of the exchequer, and presided at the trial of the regicides. In a short time he was advanced to the chief justiceship of the

common pleas. His disgrace will be mentioned in a future page. After that he lived in retirement. He was dead in 1682, when his "Conveyances" were published.

† Sir William Temple wrote "Memoirs" of this embassy, but afterwards destroyed them. His "Memoirs" of his subsequent embassies are preserved.—Swift's Preface to the Third Part of the "Memoirs." This loss is in some measure supplied by sir William's Letters. To these Burnet seems to allude.

Clarendon upon that told them, that, if either in matters of justice, or in any negotiations abroad, he had ever received a farthing, he gave them leave to disown all friendship to him. The French king hearing he had sent for all the books of the Louvre impression, had sent these to him, which he took, as thinking it a trifle, as indeed it was: and this was the only present he ever had from any foreign prince. He had never taken any thing by virtue of his office, but that which his predecessors had claimed as a right. But now a hue and cry was sent out against him; and all persons who had heard him say any thing that could bear an ill construction, were examined. Some thought they had matters of great weight against him; and, when they were told these would not amount to high treason, they desired to know what would amount to it.

When twenty-three articles were brought into the house against him, the next day he desired his second son, the now earl of Rochester, to acquaint the house, that he, hearing what articles were brought against him, did, in order to the dispatch of the business, desire that those, who knew best what their evidence was, would single out any one of the articles that they thought could be best proved; and, if they could prove that, he would submit to the censure due upon them all. But those who had the secret of this in their hands, and knew they could make nothing of it, resolved to put the matter upon a preliminary, in which they hoped to find cause to hang up the whole affair, and fix upon the lords the denial of justice. So, according to some few and late precedents, they sent up a general impeachment to the lords' bar of high treason, without any special matter; and demanded, that upon that he might be committed to prison. They had reason to believe the lords would not grant this; and therefore they resolved to insist on it; and reckoned, that when so much money was to be given, the king would prevail with the lords. Upon this occasion it appeared, that the private animosities of a court could carry them to establish the most destructive precedent that could have been thought on. For if this had passed, then every minister upon a general impeachment was to be ruined, though no special matter was laid against him. Yet the king himself pressed this vehemently. It was said, the very suspicion of a house of commons, especially such a one as this was, was enough to blast a man, and to have him secured; for there was reason to think, that every person so charged would run away, if at liberty. Lord Clarendon's enemies had now gone far. They thought they were not safe till his head was off; and they apprehended, that, if he were once in prison, it would be easy either to find, or at least to bring witnesses against him. This matter is all in print; so I will go no farther in the particulars. The duke was at this time taken with the small-pox; so he was out of the whole debate. The peers thought that a general accusation was only a clamour, and that their dignities signified little if a clamour was enough to send them to prison. All the earl of Clarendon's friends pressed the king much on his behalf, that he might be suffered to go off gently, and without censure, since he had served both his father and himself so long, so faithfully, and with such success. But the king was now so sharpened against him, that, though he named no particulars, he expressed a violent and irreconcilable aversion to him; which did the king much hurt, in the opinion of all that were not engaged in the party. The affair of the king's marriage was the most talked of, as that which indeed was the only thing that could in any sort justify such a severity. Lord Clarendon did protest, as some that had it from himself told me, that he had no other hand in that matter, than as a councillor: and in that he appealed to the king himself. After many debates and conferences, and protestations, in which the whole court went in visibly to that, which was plainly destructive both to the king and to the ministry, the majority of the house stood firm, and adhered to their first resolution against commitment. The commons were upon that like to carry the matter far against the peers, as denying justice. The king seeing this, spoke to the duke, to persuade lord Clarendon to go beyond sea, as the only expedient that was left, to make up the breach between the two houses: and he let fall some words of kindness, in case he should comply with this. The earl of Clarendon was all obedience and submission; and was charmed with those tender words, that the king had said of him. So, partly to serve the king, and save himself and his family, but chiefly that he might not be the occasion of any difference between the king and the duke, who had heartily espoused his interest, he went privately beyond sea, and wrote a letter from Calais to the house of lords,



protesting his innocence in all the points objected to him, and that he had not gone out of the kingdom for fear, or out of any consciousness of guilt, but only that he might not be the unhappy occasion of any difference between the two houses, or of obtruding public business. This put an end to the dispute. But his enemies called it a confession of guilt, and a flying from justice : such colours will people give to the most innocent actions \*.

A bill was brought in, banishing him the king's dominions under pain of treason if he should return : and it was made treason to correspond with him, without leave from the king. This act did not pass without much opposition. It was said, there was a known course of law when any man fled from justice ; and it seemed against the common course of justice, to make all corresponding with him treason, when he himself was not attainted of treason ; nor could it be just to banish him, unless a day were given him to come in ; and then, if he did not come in, he might incur the punishment upon contempt. The duke, whom the king had employed to prevail with him to withdraw himself, thought he was bound in honour to press the matter home on the king ; which he did so warmly, that for some time a coldness between them was very visible. The part the king had acted in this matter came to be known ; and was much censured, as there was just cause for it. The vehemence that he shewed in this whole matter was imputed by many to very different causes. Those who knew him best, but esteemed him least, said to me on this occasion, that all the indignation that appeared in him on this head, was founded on no reason at all ; but was an effect of that easiness, or rather laziness of nature, that made him comply with every person that had the greatest credit with him. The mistress †, and the whole bedchamber, were perpetually railing at him. This, by a sort of infection, possessed the king, who, without giving himself the trouble of much thinking, did commonly go into any thing that was at the present time the easiest, without considering what might at any other time follow on it. Thus the lord Clarendon fell under the common fate of great ministers, whose employment exposes them to envy, and draws upon them the indignation of all who are disappointed in their pretensions. Their friends do generally shew, that they are only the friends of their fortunes ; and upon the change of favour they not only forsake them in their extremity, but that they may secure to themselves the protection of a new favourite, they will labour to redeem all that is passed, by turning as violently against them, as they formerly fawned abjectly upon them : and princes are so little sensible of merit or great services, that they sacrifice their best servants, not only when their affairs seem to require it, but to gratify the humour of a mistress, or the passion of a rising favourite.

I will end this relation of lord Clarendon's fall with an account of his two sons. The eldest, now the earl of Clarendon, is a man naturally sincere : he is a friendly and good-natured man. He keeps an exact journal of all that passes, and is punctual to tediousness in all that he relates ‡. He was very early engaged in great secrets ; for his father, apprehending of what fatal consequence it would have been to the king's affairs, if his correspondence

\* It is beyond contradiction that the retirement of Clarendon into exile was not the suggestion of his own fears, and was in direct opposition to his own wishes. The motive that induced his voluntary withdrawal was a desire to acquiesce in the repeatedly and urgently expressed desire of the king ; and to terminate the collision that had taken place between the two houses of parliament. M. Ravigny, the French ambassador, the bishop of Hereford, and the duke of York, successively urged upon him the king's wish ; and though his majesty would not grant him a pass, yet he pledged his word that his passage should be uninterrupted. The dispute between the houses of lords and commons arose from the first refusing to order Clarendon into custody until some specific charges were exhibited against him. The peers persisted in this refusal, which so angered the king, that he entertained a proposition for sending a file of soldiers to his house, and conveying him thence to the Tower. The lieutenant of this prison was even advised of the earl's probable arrival, and "that he should not treat him with more civility than he did other prisoners." The last message to Clarendon

recommending him to withdraw coming to him from the king, and stating "that it was absolutely necessary for him speedily to be gone," he resolved to set off that night. This was Saturday, the 29th of November, 1667, and he proceeded in a coach with two servants, accompanied by his two sons and some friends on horseback, to Erith. Here he embarked, but from contrary winds did not land at Calais until after a lapse of three days. From this place he wrote a defence to the house of lords, which so chagrined his enemies, that it was ordered to be burnt by the hangman !—Continuation of Clarendon's Life, 450—459, fol. His son, Lawrence Hyde, earl of Rochester, has left an excellent and most interesting paper, relative to his father's banishment, and subsequent conduct, too long to be inserted in this note. See it in the Clarendon Papers, edited by Mr. Singer, i. 645, &c.

† The duchess of Cleveland.

‡ This with his Letters, &c. entitled "Correspondence of the Earls of Clarendon and Rochester," has been published, edited by Mr. Singer.

had been discovered by unfaithful secretaries, engaged him when very young to write all his letters to England in cypher, so that he was generally half the day writing in cypher, or decyphering, and was so discreet, as well as faithful, that nothing was ever discovered by him. He continued to be still the person whom his father trusted most, and was the most beloved of all the family; for he was humble and obliging, though sometimes peevish. His judgment was not to be much depended on; for he was much carried away by vulgar prejudices, and false notions. He was much in the queen's favour, and was her chamberlain long. His father's being so violently prosecuted on the account of her marriage, made that she thought herself bound to protect him in a particular manner. He was so provoked at the ill usage his father met with, that he struck in violently with the party that opposed the court; and the king spoke always of him with great sharpness, and much scorn\*. His brother, now earl of Rochester, is a man of far greater parts. He has a very good pen, but speaks not gracefully. He was thought the smoothest man in the court; and during all the dispute concerning his father, he made his court so dexterously, that no resentments ever appeared on that head. When he came into business, and rose to high posts, he grew violent; but was thought an incorrupt man. He has high notions of government, and thinks it must be maintained with great severity. He delivers up his own notions to his party, that he may lead them. He passes for a sincere man, and seems to have too much heat to be false†. Morley was long dean of the chapel; but he stuck so to the lord Clarendon, that he was sent into his diocese; and Crofts, bishop of Hereford, was made dean in his room. Crofts was a warm devout man, but of no discretion in his conduct; so he lost ground quickly. He used much freedom with the king, but it was in the wrong place, not in private, but in the pulpit‡.

\* Henry Hyde, lord Cornbury, and on the death of the chancellor, earl of Clarendon, was the eldest son of that great statesman. He was born in 1638. After the Restoration he was created a knight of the bath, master of arts at Oxford, and appointed chamberlain to the queen. Though disgraced by James, the university of Oxford made him its high steward. His subsequent promotions and misfortunes will be mentioned in other pages. He died in 1709.—*Memoirs of Illustrious Persons who died in 1711*, 116-123; *Collins's Peerage*; *Walpole's Royal and Noble Authors*; *Wood's Fasti*. Burnet's estimate of his mental abilities is too low. His letters, his "History of the Irish Rebellion," and his "Account of the Tombs in Winchester Cathedral," shew him to have had a correct judgment, and a cultivated mind. A man who could suffer neglect and oppression as he did without flinching from the sentiments and conduct that attracted the punishment, could not have been an unworthy, or inferior character.

† Lawrence Hyde, earl of Rochester, was the second son of the earl of Clarendon. In 1661, he made his debut in public as one of the representatives of Oxford university. Soon after he proceeded, with lord Crofts and sir Charles Berkeley, to the court of France for the purpose of congratulating the French king upon the birth of the dauphin. When he returned he entered upon the duties of master of the robes to the king, having previously held an official appointment about the duke of York. When the house of commons impeached his father, Mr. Hyde defended him with a firmness, filial feeling, and dignity, that must have raised him in the estimation of every worthy mind. In 1676, he was sent as ambassador-extraordinary to the king of Poland. His "Diary," during the embassages, has lately been edited by Mr. Singer, among others, of the Clarendon Papers. His subsequent employments will be mentioned in future pages. He died in May, 1711. With his brother, lord Clarendon, he edited his father's "History of the Rebellion." The dedication in the second volume to the queen, was written by the earl of Rochester, and has always been acknowledged as a masterly production.—*Memoirs of Persons*

who died in 1711, 124-168.—*Wood's Fasti Oxon.* 131. Burnet's character of Rochester seems to be coincident with that of other contemporaries. Mackay and lord Dartmouth agree in acknowledging his abilities, as well as the facility with which his anger could be excited. "I never knew," says the latter, "a man that was so soon put in a passion, that was so long before he could bring himself out of it, in which he would say things that were never forgot by any body but himself. He therefore had always more enemies than he thought, though he had as many professedly so, as any man of his time."—*Oxford ed. of this work.*

‡ Dr. Herbert Croft was certainly one of the most upright, conscientious men of his time. He was induced by the example of his father, and the persuasions of the Douay priests, to conform to the papal church, but upon his return to England and conferring with Dr. Morton, bishop of Durham, he was convinced of the greater conformity with the scriptures of the creed of the English church, and returned among her members. This was not suggested by interest, for in the preamble of his will, he makes this dying profession:—"I do in all humble manner most heartily thank God, that he hath been most graciously pleased, by the light of his most holy gospel, to recall me from the darkness of popish errors and gross superstitions, into which I was seduced in my younger days, and to settle me in the true ancient catholic and apostolic faith professed by our church of England," &c. His disinterestedness is further shewn by his steady refusal of all better preferment than the bishopric of Hereford, then not worth more than 800*l.* per annum. Conscientious scruples induced him to wish even to resign this. His government of his diocese was admirable. His loyalty was proved by his suffering with unsuccumbing fortitude during the interregnum: his moderation and Christian charity by his writings, in which he strenuously endeavoured to reunite the dissenters with our church, by shewing the impropriety of differing about non-essentials, and at the same time deprecating all persecution. Thus favouring toleration, he yet opposed most strenuously the declaration issued by James the Second, which, he

The king was highly offended at the behaviour of most of the bishops; and he took occasion to vent it at the council-board. Upon the complaints that were made of some disorders, and of some conventicles, he said, the clergy were chiefly to blame for these disorders; for if they had lived well, and had gone about their parishes, and taken pains to convince the nonconformists, the nation might have been by that time well settled; but they thought of nothing but to get good benefices, and to keep a good table. This I read in a letter that sir Robert Murray wrote down to Scotland: and it agrees with a conversation, that the king was pleased to have with myself once, when I was alone with him in his closet. While we were talking of the ill state the church was in, I was struck to hear a prince of his course of life so much disgusted at the ambition, covetousness, and the scandals of the clergy. He said, if the clergy had done their part, it had been an easy thing to run down the nonconformists: but, he added, they will do nothing, and will have me do every thing: and most of them do worse than if they did nothing. He told me, he had a chaplain, that was a very honest man, but a very great blockhead, to whom he had given a living in Suffolk, that was full of that sort of people: he had gone about among them from house to house, though he could not imagine what he could say to them; for, he said, he was a very silly fellow; but that, he believed, his nonsense suited their nonsense, for he had brought them all to church: and, in reward of his diligence, he had given him a bishopric in Ireland.

Bridgman and Wilkins set on foot a treaty, for a comprehension of such of the dissenters as could be brought into the communion of the church, and a toleration of the rest. Hale, then chief justice, concurred with them in the design. Tillotson, Stillingfleet, and Burton joined also in it. Bates, Manton, and Baxter were called for on the side of the presbyterians\*. And a project was prepared, consisting chiefly of those things that the king had promised by his declaration in the year 1660. Only in the point of re-ordination this temper was proposed, that those who had presbyterian ordination should be received to serve in the church by an imposition of hands, accompanied with words which imported, that the person so ordained was received to serve as a minister in the church of England. This treaty became a common subject of discourse. All lord Clarendon's friends cried out, that the church was undermined and betrayed: it was said, the cause of the church was given up, if we yielded any of those points, about which there had been so much disputing: if the sectaries were humble and modest, and would tell what would satisfy them, there might be some colour for granting some concessions; but it was unworthy of the church to go and court, or treat with enemies, when there was no reason to think, that after we had departed from our grounds, which was to confess we had been in the wrong, that we should gain much by it, unless it was to bring scorn and contempt on ourselves. On the other hand, it was said, the nonconformists could not legally meet together, to offer any schemes in the name of their party: it was well enough known, what they had always excepted to, and

observed, covertly aimed at the promotion of the papal religion. He resigned his royal chaplaincy, and retired from court disgusted with its irreclaimable immorality. He died in his diocese in the year 1691.—Wood's *Athenæ Oxon.*; *Biographia Brit.* by Kippis. It is curious that Dr. Burnet should have written an antagonist pamphlet to one by Dr. Croft, in which the latter advocated toleration and comprehension of the presbyterians by our church. Not having seen the pamphlets, I cannot decide upon what points they differ. We see, in the text, Burnet thought the other wanted "discretion."

\* William Bates was one of the most eminent and most excellent of the nonconformist divines. At the time of the Restoration, when Charles the Second hypocritically courted the assistance of all sects, he was made one of the royal chaplains. It is said by Calamy, that if Bates would have conformed to the established church, he might have been raised to any bishopric of the kingdom. If he had, it would not have exceeded his merits. Archbishop Tillotson, lord keeper Bridgman, lord chancellor Finch, and many other distinguished persons, were among his personal friends. William the Third esteemed him

much, and queen Mary was in the constant habit of reading his works. Lord keeper Bridgman having declared from the bench that in the oath prescribed by "the Five-Mile Act," the words "endeavour to change the government in church," meant only "unlawful endeavour," Dr. Bates and about twenty other presbyterian divines took the oath, though Mr. Baxter was not satisfied by his reasons for doing so. He died in 1699, aged seventy-four.—Calamy's *Account of Ejected Ministers*; Howe's *Funeral Sermon for Dr. Bates*; *Biog. Britannica*.

Thomas Manton, another leading divine among the presbyterians, like the preceding clergyman, was at the Restoration made one of the king's chaplains, and doctor of divinity by royal mandamus, though he had previously held the same office in the household of Oliver Cromwell. He was rector of St. Paul's, Covent Garden, and might, if he would have conformed, have had the deanery of Rochester. By the Bartholomew Act he lost his preferment, and suffered imprisonment for preaching elsewhere. He died in 1677, aged fifty-seven. Dr. Bates preached his funeral sermon. See this, and his "Life," by Dr. Harris; also Wood's *Athenæ Oxon.* 600, fol.



what would probably bring over most of the presbyterians; such a yielding in some lesser matters would be no reproach, but an honour to the church; that, how much soever she might be superior, both in point of argument and of power, she would yet of her own accord, and for peace sake, yield a great deal in matters indifferent: the apostles complying with many of the observances of the Jews, and the offers that the church of Africa made to the Donatists were much insisted on: the fears of popery, and the progress that atheism was making, did alarm good and wise men: and they thought, every thing that could be done without sin, ought to be done towards the healing our divisions. Many books were upon that account written, to expose the presbyterians, as men of false notions in religion, which led to antinomianism, and which would soon carry them into a dissolution of morals, under a pretence of being justified by faith only, without works. The three volumes of the *Friendly Debate*, though written by a very good man, and with a good intent, had an ill effect in sharpening people's spirits too much against them. But the most virulent of all that wrote against the sects was Parker, afterwards made bishop of Oxford by king James; who was full of satirical vivacity, and was considerably learned; but was a man of no judgment, and of as little virtue, and as to religion, rather impious. After he had for some years entertained the nation with several virulent books, written with much life, he was attacked by the liveliest droll of the age, who wrote in a burlesque strain, but with so peculiar and so entertaining a conduct, that, from the king down to the tradesman, his books were read with great pleasure. That not only humbled Parker, but the whole party: for the author of the "*Rehearsal Transposed*" had all the men of wit (or, as the French phrase it, all the laughers) on his side\*. But what advantages soever the men of comprehension might have in any other respect, the majority of the house of commons was so possessed against them, that when it was known in a succeeding session, that a bill was ready to be offered to the house for that end, a very extraordinary vote passed, that no bill to that purpose should be received.

An act passed in this session for rebuilding the city of London, which gave lord chief justice Hale a great reputation: for it was drawn with so true a judgment, and so great foresight, that the whole city was raised out of its ashes, without any suits of law; which, if that bill had not prevented them, would have brought a second charge on the city, not much less than the fire itself had been. And upon that, to the amazement of all Europe, London was in four years' time rebuilt, with so much beauty and magnificence, that we who saw it in both states, before and after the fire, cannot reflect on it without wondering where the wealth could be found, to bear so vast a loss as was made by the fire, and so prodigious an expense as was laid out in the rebuilding it. This did demonstrate that the intrinsic wealth of the nation was very high, when it could answer such a dead charge.

I return to the intrigues of the court. Lord Clarendon's enemies thought they were not safe, as long as the duke had so much credit with the king, and the duchess had so much power over him: so they fell on propositions of a strange nature to ruin them. The duke of Buckingham pressed the king to own a marriage with the duke of Monmouth's mother; and he undertook to get witnesses to attest it. The duke of York told me, in general, that there was much talk about it, but he did not descend to particulars. The earl of Carlisle offered to begin the matter in the house of lords. The king would not consent to this: yet he put it by in such a manner, as made them all conclude, he wished it might be done, but did not know how to bring it about. These discourses were all carried to the duke of Monmouth, and got fatally into his head. When the duke talked of this matter to me in the year seventy-three, I asked him if he thought that the king had still the same inclinations? He said he believed not: he thought the duke of Monmouth had not spirit enough

\* Dr. Samuel Parker was a despicable man. His talents only afford a proof, and therefore cause for regret, that genius and integrity are not inseparable. It was his "*Discourse of Ecclesiastical Polity*" that called forth Andrew Marvell's satire mentioned in the text. His acceptance of the presidency of Magdalen College from king James the Second, and still more his Defence of the doctrine of transubstantiation and saint-worship, shewed

that he would not let probity or conscience be in the way of worldly preferment. He was a presbyterian at first, then a member of the established church, and, finally, popishly inclined. He was only forty-seven when he died, in 1687.—Wood's *Athenæ Oxon.*; Nichol's *Life of Bowyer*. Dr. Parker's "*History of his own Times*," edited by his son, contains some interesting particulars of this period.

to think of it : and he commended the duchess of Monmouth so highly as to say to me, that the hopes of a crown could not work on her to do an unjust thing. I thought he gave that matter too much countenance by calling the duke of Monmouth nephew : but he said it pleased the king. When the party saw they could make nothing of the business of the duke of Monmouth, they tried next by what methods they could get rid of the queen ; that so the king might marry another wife : for the king had children by so many different creatures, that they hoped for issue, if he had a wife capable of any. Some thought, the queen and he were not legally married : but the avowing a marriage, and the living many years in that state, did certainly supply any defect in point of form. Others pretended, she was barren from a natural cause, and that seemed equivalent to impotence in men. But the king often said, he was sure she had once miscarried. This, though not overthrown by such an evidence, could never be proved ; unless the having no children was to be concluded a barrenness : and the dissolving a marriage on such an account could neither be justified in law or conscience. Other stories were given out of the queen's person, which were false : for I saw in a letter under the king's own hand that the marriage was consummated. Others talked of polygamy : and officious persons were ready to thrust themselves into any thing, that could contribute to their advancement. Lord Lauderdale and sir Robert Murray asked my opinion of these things. I said, I knew speculative people could say a great deal, in the way of argument for polygamy, and divorce : yet these things were so decried, that they were rejected by all Christian societies : so that all such propositions would throw us into great convulsions ; and entail war upon us, if any issue came from a marriage so grounded\*.

An accident happened at that time, that made the discoursing of those matters the common subject of conversation. The lord Roos, afterwards earl of Rutland, brought proofs of adultery against his wife ; and obtained a sentence of divorce in the spiritual court : which amounting only to a separation from bed and board, he moved for a bill dissolving the bond, and enabling him to marry another wife. The duke and all his party apprehended the consequences of a parliamentary divorce : so they opposed this with great heat : and almost all the bishops were of that side : only Cosin† and Wilkins, the bishops of Durham and Chester, were for it. And the king was as earnest in the setting it on, as the duke was in opposing it. The zeal which the two brothers expressed on that occasion made all people conclude, that they had a particular concern in the matter. The bill passed : and upon that precedent some moved the king, that he would order a bill to be brought in to divorce him from the queen. This went so far, that a day was agreed on for making the motion in the house of commons, as Mr. May, of the privy purse, told me ; (who had the greatest and longest share in the king's secret confidence of any man in that time ; for it was never broken off, though often shaken, he being in his notions against every thing that the king was for,

\* One of the most disreputable of our author's acts is connected with this subject. He confesses in the text that the dissolution of the king's marriage could not be justified either in law or conscience ; yet of a project to permit his majesty to have more than one wife he spoke with less reprehension. Of this last opinion I am willing to admit that he might plead much in extenuation : God's favoured people—David, the man "after God's heart"—were polygamists ; and as marriage is certainly only a civil contract. Burnet puts a plurality of wives upon the just footing when he quotes the strongest argument against it by observing that it is contrary to our laws, and it is rejected by all Christian societies. Notwithstanding the opinions thus expressed it appears to be too true, that Burnet wrote two treatises, one maintaining that a divorce is justifiable if a wife proves to be unfruitful, and the other concluding with these words, "I see nothing so strong against polygamy as to balance the great and visible imminent hazards that hang over so many thousands, if it be not allowed." These papers appear to have been written at the suggestion of the earl of Lauderdale, and were copied by the archbishop of Glasgow in the year 1680. Mr. Higgons says he saw the originals in the possession of the honourable Archibald Campbell.—Bevil Higgons' *Remarks on Bishop Burnet*, 158, &c. No defence can

be urged for Burnet but that he consented to write against his conscience, because he thought the birth of legal offspring to the king was necessary for the interests of England. Yet Burnet's knowledge of history, to say nothing of the precepts of Christianity, ought to have taught him that no action is expedient that is not good.

† Dr. John Cosin deserves to be noticed as one of the most upright, learned, and munificent prelates that ever added dignity to the English church. At the same time it is but justice to remark that he was a lover of things as they are—he opposed the petition of the county of Durham for permission to return members of parliament, because it was not in accordance with the privileges of his bishopric ! If he was somewhat too superstitious, the failing showed itself in the amiable form of having a profound reverence for everything connected with the worship of God. During the twelve years he presided over the see of Durham he spent nearly 30,000*l.* in public and private benefactions. He died in January 1672, aged rather more than seventy-seven.—Hutchinson's *History of Durham* ; Smith's *Vita Joannis Cosini* ; Basire's *Funeral Sermon on Bishop Cosin*. Cosin suffered much from the persecution of the parliament during the interregnum. He continued an exile in France until the restoration.

both France, popery, and arbitrary government ; but a particular sympathy of temper, and his serving the king in his vices, created a confidence much envied, and often attempted to be broken, but never with any success beyond a short coldness :) but he added, when he told me of this design, that three days before the motion was to be made, the king called for him, and told him, that matter must be let alone, for it would not do. This disturbed him much : for he had engaged himself far in laying the thing, and in managing those who were to undertake the debate.

At this time the court fell into much extravagance in masquerading : both king and queen, and all the court, went about masked, and came into houses unknown, and danced there with a great deal of wild frolic. In all this people were so disguised, that, without being in the secret, none could distinguish them. They were carried about in hackney chairs. Once the queen's chairmen, not knowing who she was, went from her : so she was alone, and was much disturbed, and came to Whitehall in a hackney coach : some say it was in a cart. The duke of Buckingham proposed to the king, that he would give him leave to steal her away, and send her to a plantation, where she should be well and carefully looked to, but never heard of any more : so it should be given out, that she had deserted : and upon that it would fall in with some principles to carry an act for a divorce, grounded upon the pretence of a wilful desertion. Sir Robert Murray told me, that the king himself rejected this with horror. He said, it was a wicked thing to make a poor lady miserable, only because she was his wife, and had no children by him, which was no fault of hers. The hints of this broke out : for the duke of Buckingham could conceal nothing. And upon that the earl of Manchester, then lord chamberlain, told the queen, it was neither decent nor safe for her to go about in such a manner as she had done of late : so she gave it over. But at last all these schemes settled in a proposition, into which the king went ; which was to deal with the queen's confessor, that he might persuade her to leave the world, and to turn religious : upon which the parliament would have been easily prevailed on to pass a divorce. This came to be known : but what steps were made in it were never known. It was believed, that upon this the duchess of York sent an express to Rome with the notice of her conversion ; and that orders were sent from Rome to all about the queen to persuade her against such a proposition, if any should suggest it to her. She herself had no mind to be a nun : and the duchess was afraid of seeing another queen : and the mistress, at that time created duchess of Cleveland, knew that she must be the first sacrifice to a beloved queen : and she reconciled herself upon this to the duchess of York. The duke of Buckingham upon that broke with her, and studied to take the king from her by new amours : and because he thought a gaiety of humour would take much with the king, he engaged him to entertain two players one after another, Davies and Gwyn \*. The first did not keep her hold long : but Gwyn, the most indiscreet and most wild creature that ever was in a court, continued to the end of the king's life in great favour, and was maintained at a vast expense. The duke of Buckingham told me, that when she was first brought to the king, she asked only 500*l.* a year : and the king refused it. But when he told me this, about four years after, he said, she had got of the king above sixty thousand pounds. She acted all persons in so lively a manner, and was such a constant diversion to the king, that even a new mistress could not drive her away. But, after all, he never treated her with the decencies of a mistress. The king had another mistress, that was managed by lord Shaftesbury, who was the daughter of a clergyman, Roberts : in whom her first education had so deep a root, that, though she fell into many scandalous disorders, with very dismal adventures in them all, yet a principle of religion was so deep laid in her, that, though it did not restrain her, yet it kept alive in her such a constant horror at sin, that she was never easy in an ill course, and died with a great sense of her former ill life. I was often with her the last three months of her life. The duchess of Cleveland, finding that she had lost the king, abandoned herself to great disorders : one of which, by the artifice of the duke of Buckingham, was discovered by the king in person, the party concerned leaping out of the window. She also spoke of the king to all people in such a manner, as brought him under much contempt. But he seemed insensible : and though libels of all sorts had then a very free course, yet he was never disturbed at it.

\* Memoirs of these and others of the king's concubines have been given at p. 111.



The three most eminent wits of that time, on whom all the lively libels were fastened, were the earls of Dorset and Rochester, and sir Charles Sedley. Lord Dorset was a generous good-natured man. He was so oppressed with phlegm, that till he was a little heated with wine he scarcely ever spoke: but he was upon that exaltation a very lively man. Never was so much ill nature in a pen as in his, joined with so much good nature as was in himself, even to excess; for he was against all punishing even of malefactors. He was bountiful, even to run himself into difficulties: and charitable to a fault: for he commonly gave all he had about him when he met an object that moved him. But he was so lazy, that though the king seemed to court him to be a favourite, he would not give himself the trouble that belonged to that post. He hated the court, and despised the king, when he saw he was neither generous nor tender-hearted\*. Wilmot, earl of Rochester, was naturally modest, till the court corrupted him. His wit had in it a peculiar brightness, to which none could ever arrive. He gave himself up to all sorts of extravagance, and to the wildest frolics that a wanton wit could devise. He would have gone about the streets as a beggar, and made love as a porter. He set up a stage as an Italian mountebank. He was for some years always drunk, and was ever doing some mischief. The king loved his company for the diversion it afforded, better than his person: and there was no love lost between them. He took his revenges in many libels. He found out a footman that knew all the court, and he furnished him with a red coat and a musket as a sentinel, and kept him all the winter long every night, at the doors of such ladies, as he believed might be in intrigues. In the court a sentinel is little minded, and is believed to be posted by a captain of the guards to hinder a combat: so this man saw who walked about, and visited at forbidden hours. By this means lord Rochester made many discoveries. And when he was well furnished with materials, he used to retire into the country for a month or two to write libels. Once, being drunk, he intended to give the king a libel that he had written on some ladies: but by a mistake he gave him one written on himself. He fell into an ill habit of body: and in several fits of sickness he had deep remorse; for he was guilty both of much impiety, and of great immoralities. But as he recovered he threw these off, and turned again to his former ill courses. In the last year of his life I was much with him, and have written a book of what passed between him and me. I do verily believe, he was then so entirely changed, that, if he had recovered, he would have made good all his resolutions†. Sedley had a more sudden and copious wit,

\* Charles Sackville, sixth earl of Dorset and Middlesex, was born in 1637. His character has been elegantly sketched by Prior, and the chief events of his life by Dr. Johnson: from the latter production the following are extracts. "Though chosen a representative of East Grinstead in the first parliament after the restoration, he undertook no public employment, being too eager of the riotous and licentious pleasures which young men of high rank, who aspired to be thought wits, at that time imagined themselves entitled to indulge. One of these frolics has, by the industry of Wood, come down to posterity. Sackville, who was then lord Buckhurst, with sir Charles Sedley and sir Thomas Ogle, got drunk at the Cock in Bow Street by Covent Garden, and, going into the balcony, exposed themselves to the populace in very indecent postures. At last, as they grew warmer, Sedley stood forth naked, and harangued the populace in such profane language, that the public indignation was awakened; the crowd attempted to force the door, and, being repulsed, drove in the performers with stones. For this misdemeanor Sedley was fined 500*l*.; what was the sentence of the others is not known." Sackville, then lord Buckhurst, was a volunteer in the action with the Dutch, when their admiral Opdam was blown up in his vessel. "On the day before the battle, he is said to have composed the celebrated song. *To all you ladies now on land*, with equal tranquillity of mind and promptitude of wit. Seldom any splendid story is wholly true. I have heard from the late lord Orrery, who was likely to have hereditary intelligence, that lord Buckhurst had been a week

employed upon it, and only retouched or finished it, on the memorable evening. But even this, whatever it may subtract from his facility, leaves him his courage." Subsequently he was a gentleman of Charles the Second's bed-chamber, and his representative in several minor embassies. On the death of his uncle the earl of Middlesex, he succeeded to his estates, in 1674, and in the following year was raised to that title by patent. In 1677, on the death of his father, he became earl of Dorset. His opposition to James the Second, and promotion under William, will be noticed in future pages. He died in 1706. "He was a man whose elegance and judgment were universally confessed, and whose bounty to the learned and witty was generally known. To the indulgent affection of the public, lord Rochester bore ample testimony in this remark: *I know not how it is, but lord Buckhurst may do what he will, yet is never in the wrong!*" As a poet, Dr. Johnson observes "his performances are, what they pretend to be, the effusions of a man of wit; gay, vigorous, and airy."—Johnson's *Lives of the Poets*; Walpole's *Royal and Noble Authors*.

† John Wilmot, earl of Rochester, was born in 1647, and died in 1680. Of this talented, licentious, but finally repentant nobleman nothing further need be observed here, as many notices will occur in subsequent pages. Those who wish to know more of his life will find a memoir in Wood's *Athenæ Oxoniensæ*; the character of his works in Johnson's *Lives of the Poets*; and the narrative of his conversion in Burnet's "Some Passages in the Life and Death of John, Earl of Rochester."

which furnished a perpetual run of discourse : but he was not so correct as lord Dorset nor so sparkling as lord Rochester \*. The duke of Buckingham loved to have these much about him : and he gave himself up to a monstrous course of studied immoralities of the worst kinds ; he was so full of mercury, that he could not fix long in any friendship, or to any design. Bennet (now made lord Arlington) and he fell out : Bennet was all cunning and artifice, and so could not hold long with him, who was so open that he disclosed every thing. Lord Arlington was engaged in a great intimacy with Clifford, Littleton, and Duncombe. I have already given some account of the two first. Duncombe was a judicious man, but very haughty, and apt to raise enemies against himself : he was an able parliament man : but could not go into all the designs of the court ; for he had a sense of religion, and a zeal for the liberty of his country †. The duke of Buckingham's chief friends were the earls of Shaftesbury and Lauderdale, but, above all, sir Thomas Osborn, raised afterwards to be lord treasurer and earl of Danby, and since made duke of Leeds by the late king.

The king took sir William Coventry from the duke, and put him in the treasury. He was in a fair way to be the chief minister, and deserved it more than all the rest did. But he was too honest to engage in the designs into which the court was resolved to go, as soon as it had recovered a little reputation ; which was sunk very low by the ill management of the Dutch war, and the squandering away of the money given for it. He was a man of the finest and the best temper that belonged to the court. The duke of Buckingham and he fell out, I know not for what reason : and a challenge passed between them, upon which Coventry was forbidden the court. And he upon that seemed to retire very willingly : and he was become a very religious man when I knew him. He was offered after that the best posts in the court, oftener than once : but he would never engage again. He saw what was at bottom, and was resolved not to go through with it ; and so continued to his death in a retired course of life ‡.

The duke of Ormond continued still in the government of Ireland, though several interests joined together against him—the earls of Orrery and Ranelagh on the one hand, and Talbot on the other. Lord Orrery loved to appear in business ; but dealt so much underhand, that he had not much credit with any side. Lord Ranelagh was a young man of great parts, and as great vices : he had a pleasantness in his conversation that took much with the king, and had a great dexterity in business. Many complaints were secretly brought against the duke

a work, says Dr. Johnson “ which the critic ought to read for its elegance, the philosopher for its arguments, and the saint for its piety. It were an injury to the reader to offer him an abridgment.”

\* The best fame of sir Charles Sedley rests upon his dramatic works, and his exertions to promote the revolution, though the latter it is to be feared arose from a spirit of revenge rather than of patriotism. He was born in 1639, and died at the age of eighty.—Wood's *Athenæ Oxon.*—*Biog. Brit.*

† This was the John Duncombe of Battlesden, in Bedfordshire, mentioned by Wood. Charles the First, when in Carisbrook Castle, amused himself by having various disputations relative to the church service with a presbyterian divine, who was the governor's chaplain. “ The king being a good logician, and well read in history and matters of controversy, gained ground of his opponent, and would please himself with one passage that happened, which was this. During their discourse, the chaplain then standing at the end of the presence-chamber, between a lieutenant of the garrison, who had a sword in his hand, and a gentleman who was not known there, the king, in the heat of his discourse, suddenly disarmed the lieutenant by taking the sword out of his hand, which made him look strangely, and the more when his majesty drew it, for that frightened the chaplain : also, he not imagining the reason, until the stranger, better understanding the king's meaning, fell upon his knees, and the king laying the naked sword upon his shoulder, conferred upon him the honour of knight-  
hood, telling him withal, it was to perform a promise to his relations.” This stranger was Mr. Duncombe. In 1667, he was appointed one of Charles the Second's privy council, a commissioner of the ordinance, and soon after a commissioner of the treasury. In 1672, upon the earl of Shaftesbury's resignation, he was promoted to be chancellor and under-treasurer of the exchequer.—Wood's *Athenæ Oxon.* ii. 688, fol.

‡ Sir William Temple in his “ *Memoirs*,” (p. 449), and the earl of Dartmouth (Oxford ed. of this work), bear testimony that sir William Coventry was the most beloved and trusted by the house of commons, of the courtiers who sat among them. His word was always considered a sufficient assurance. The earl of Dartmouth relates that the duke of Buckingham wishing sir William to abuse this confidence by saying something to deceive the house, led to the challenge mentioned in the text.

Sir William was the fourth son of lord keeper Coventry. After the restoration he represented Yarmouth, in Norfolk. He was secretary to the duke of York and to the admiralty. In 1665, he was knighted and made a privy councillor. Some other events in his political career will be noticed hereafter. He continued a bachelor until his death, which was caused by the gout in his stomach, mistaken by his physicians for a calculous disorder. He died in 1686, aged sixty. He bequeathed 2,000*l.* to the French protestants, and 3,000*l.* for the redemption of captives at Algiers.—Wood's *Athenæ Oxon.* He wrote several works relating to the politics of his era

of Ormond. The king loved him : and he accommodated himself much to the king's humour. Yet the king was, with much difficulty, prevailed on to put an end to his government of Ireland, and to put lord Roberts, afterwards made earl of Radnor, in his place ; who was a morose man, believed to be severely just, and as wise as a cynical humour could allow him to be. The manner of removing the duke of Ormond will give a particular character of the king's temper. He sent lord Arlington to him for his commission. The duke of Ormond said, he had received it from the king's own hands, and he would go and deliver it to him. When he carried it to the king, the king denied he had sent any such message. Two days after that lord Arlington was sent again with the same message : and he had the same answer : and the king disowned it again to the duke. So the king declared in the privy council the change of the government of Ireland, and made Roberts lord lieutenant. And it flew abroad as a piece of news. The duke of Ormond hearing that, came to the king in great warmth, to expostulate upon it. But the king denied the whole thing, and sent him away : but he sent for Fitzpatrick, who had married his sister, and who told me the whole story, and sent him to the duke of Ormond, to tell him, the king had denied the matter, though it was true, for he observed he was in such a heat, that he was afraid he might have said indecent things : and he was resolved not to fall out with him : for though his affairs made it necessary to change the government of Ireland, yet he would still be kind to him, and continue him lord steward. Lord Radnor did not continue long in Ireland : he was cynical in his whole administration, and uneasy to the king in every thing : and in one of his peevish humours he wrote to the king, that he had but one thing to ask of him, which if it might be granted, he would never ask another, and that was to be discharged of his employment. The lord Berkley succeeded him, who was brother to the lord Fitzharding, and from small beginnings had risen up to the greatest post a subject was capable of. In the war he was governor of Exeter for the king, and one of his generals. He was named by him governor to the duke of York. He was now made lord lieutenant of Ireland ; and afterwards sent ambassador to France, and plenipotentiary to Nimeguen. He was a man in whom it appeared with how little true judgment courts distribute favours and honours. He had a positive way of undertaking and determining in every thing, but was a very weak man, and not incorrupt\*.

The court delivered itself up to vice. And the house of commons lost all respect in the nation ; for they gave still, all the money that was asked. Yet those who opposed the court carried one great point, that a committee should be named to examine the accounts of the money that was given during the Dutch war. It was carried, that they should be all men out of the house†. Lord Brereton was the chief of them, and had the chair. He was a philosophical man, and was all his life long in search of the philosopher's stone, by which he neglected his own affairs, but was a man of great integrity, and was not to be gained by the flatteries, hopes, or threatenings of the court. Sir William Turner was another of the committee, who had been lord mayor of London the former year, under whose wise and just administration the rebuilding of the city advanced so fast, that he would have been chosen lord mayor for the ensuing year, if he had not declined it. Pierpoint was likewise of this committee ; so was sir James Langham, a very weak man, famed only for his readiness of speaking florid Latin, which he had attained to a degree beyond any man of the age ; but his style was too poetical, and full of epithets and figures.

I name sir George Saville last, because he deserves a more copious character. He rose afterwards to be viscount, earl, and marquis of Halifax. He was a man of a great and ready wit ; full of life, and very pleasant ; much turned to satire. He let his wit run much on

\* George Berkley, earl Berkley, viscount Dursley, baron of Berkley, Mowbray, Seagrave, and Bruce, deserves little farther notice. His total incompetency for the post of ambassador was noticed whilst at Nimeguen by sir William Temple.—Clarendon's Correspondence, i. 627. Mr. Wycherly is said to have sketched his character as Lord Plausible in "The Plain Dealer." It is doubtful if Benet is correct in representing him as vicious, though the authority last quoted supports the accusation. He

gave to Sion College a very valuable library of books collected by sir Robert Coke for the use of the London clergy during "the troublous times." His lordship also wrote "Historical Applications, &c." He died in 1698, aged seventy-one.—Walpole's Catalogue of Royal and Noble Authors ; Grainger's Biog. Hist.

† This committee brought to light the most barefaced misapplication of the public money. See Grey's Debates, i. 157, &c.



matters of religion, so that he passed for a bold and determined atheist; though he often protested to me, he was not one; and said, he believed there was not one in the world. He confessed he could not swallow down every thing that divines imposed on the world: he was a Christian in submission: he believed as much as he could, and he hoped that God would not lay it to his charge, if he could not digest iron, as an ostrich did, nor take into his belief things that must burst him: if he had any scruples they were not sought for, nor cherished by him; for he never read an atheistical book. In a fit of sickness, I knew him very much touched with a sense of religion. I was then often with him. He seemed full of good purposes, but they went off with his sickness. He was always talking of morality and friendship. He was punctual in all payments, and just in all his private dealings. But, with relation to the public, he went backwards and forwards, and changed sides so often, that in conclusion no side trusted him. He seemed full of commonwealth notions; yet he went into the worst part of king Charles's reign. The liveliness of his imagination was always too hard for his judgment. A severe jest was preferred by him to all arguments whatsoever. And he was endless in consultations: for when after much discourse a point was settled, if he could find a new jest to make even that which was suggested by himself seem ridiculous, he could not hold, but would study to raise the credit of his wit, though it might make others call his judgment in question. When he talked to me as a philosopher of his contempt of the world, I asked him, what he meant by getting so many new titles, which I called the hanging himself about with bells and tinsel. He had no other excuse for it but this, that, since the world were such fools as to value those matters, a man must be a fool for company: he considered them but as rattles; yet rattles please children; so these might be of use to his family. His heart was much set on raising his family; but, though he made a vast estate for them, he buried two of his sons himself, and almost all his grandchildren. The son that survived was an honest man, but far inferior to him. I do not remember who besides these were of that committee, which, because it sat in Brook-house, was called by the name of that house\*.

The court was much troubled to see an inquiry of this kind set on foot. It was said, the king was basely treated, when all his expense was to be looked into. On the other hand it was answered, that the parliament did not look into his revenue, but only to the distribution of that treasure that was trusted to him for carrying on the war. I was told, that, after all the most shameful items that could be put into an account, there was none offered for about 800,000*l*. But I was not then in England; so I was very imperfectly informed as to this matter†. The chief men that promoted this were taken off, (as the word then was for corrupting members,) in which the court made so great a progress, that it was thought the king could never have been prevailed on to part with a parliament so much practised on, and where every man's price was known; for as a man rose in his credit in the house, he raised his price, and expected to be treated accordingly. In all this inquiry the carelessness and luxury of the court came to be so much exposed, that the king's spirit was much sharpened upon it. All the flatterers about him magnified foreign governments where the princes were absolute, that in France more particularly. Many to please him said, it was a very easy thing to shake off the restraints of law, if the king would but set about it. The crown of Denmark was elective, and subject to a senate, and yet was in one day, without any visible force, changed to be both hereditary and absolute, no rebellion nor convulsion of state following on it. The king loved the project in general, but would not give himself the trouble of laying or managing it: and therefore, till his affairs were made easier, and the project grew clearer, he resolved to keep all things close within himself; and went on in the common maxim, to balance party against party, and by doing popular things to get money of his parliament, under the pretence of supporting the Triple Alliance. So money-bills passed easily in the house of commons, which by a strange reverse came to be opposed in the house of lords; who began to complain, that the money-bills came up so thick, that it was said, there was no end of their giving. End signifying purpose, as well

\* This nobleman is so frequently noticed in connexion with the events of this and the following reigns, that no further notice is required. He was born in 1620.

† The charges substantiated against sir George Carteret, for the misappropriation of the money voted for the use of the navy, is in Grey's Debates, i. 157, &c.

as a measure, this passed as a severe jest at that time. Sir John Coventry made a gross reflection on the king's amours. He was one of those who struggled much against the giving money. The common method is: after those who oppose such bills fail in the main vote, the next thing they endeavour is, to lay the money on funds that will be unacceptable, and will prove deficient. So these men proposed the laying a tax on the play-houses, which in so dissolute a time were become nests of prostitution. And the stage was defiled beyond all example, Dryden, the great master of dramatic poesy, being a monster of immodesty, and of impurity of all sorts\*. This was opposed by the court: it was said, the players were the king's servants, and a part of his pleasure. Coventry asked, whether did the king's pleasure lie among the men or the women that acted? This was carried with great indignation to the court. It was said, this was the first time that the king was personally reflected on: if it was passed over, more of the same kind would follow; and it would grow a fashion to talk so: it was therefore fit to take such severe notice of this, that nobody should dare to talk at that rate for the future. The duke of York told me, he said all he could to the king to divert him from the resolution he took; which was to send some of the guards, and watch in the streets where sir John lodged, and leave a mark upon him. Sandys and Obrian, and some others, went thither: and as Coventry was going home, they drew about him. He stood up to the wall, and snatched the flambeau out of his servant's hands: and with that in one hand, and his sword in the other, he defended himself so well, that he got more credit by it, than by all the actions of his life. He wounded some of them, but was soon disarmed: and then they cut his nose to the bone, to teach him to remember what respect he owed to the king: and so they left him, and went back to the duke of Monmouth's, where Obrian's arm was dressed. That matter was executed by orders from the duke of Monmouth; for which he was severely censured, because he lived then in professions of friendship with Coventry; so that his subjection to the king was not thought an excuse, for directing so vile an attempt on his friend, without sending him secret notice of what was designed. Coventry had his nose so well sewed up, that the scar was scarce to be discerned†. This put the house of commons in a furious uproar. They passed a bill of banishment against the actors of it, and put a clause in it, that it should not be in the king's power to pardon them. This gave great advantages to all those that opposed the court, and was often remembered, and much improved, by all the angry men of this time. The names of the court and country party, which till now had seemed to be forgotten, were again revived.

When the city was pretty well rebuilt, they began to take care of the churches, which had lain in ashes some years: and in that time conventicles abounded in all parts of the city. It was thought hard to hinder men from worshipping God any way as they could, when there were no churches, nor ministers to look after them. But they began to raise churches of boards, till the public allowance should be raised towards the building the churches. These they called tabernacles, and they fitted them up with pews and galleries as churches.

\* This must be understood of his writings for the stage, for as to his personal character, there was nothing remarkably vicious in it; but some of his plays are the fullest of obscenity of any now extant.

† Sir John Coventry was a grandson of the first earl of Coventry, and nephew of sir William, and Mr. Henry Coventry. At the coronation of Charles the Second, he was made a knight of the Bath, and sat as the representative of Weymouth during all that monarch's reign. The proposition in the debate upon which sir John made the witty observation that called down upon him the resentment of the court, was, that every sinner in the boxes of a theatre should pay one shilling; every one in the pit sixpence, and each of the rest of the audience, threepence: this tax being towards the expenses of the government.—*Grey's Debates*, i. 332. Reresby, Marvell, and other authorities agree that the duke of Monmouth was the first instigator of the cowardly outrage. It occurred on the 21st of December, 1670, the very night the house adjourned. The assassins, variously stated at fifteen and twenty-five, lurked for their victim close by Suffolk-street, from ten at

night until two the following morning. At this hour he returned from a tavern where he had supped. They would have proceeded to farther outrage if some strangers had not come up. The ruffians were under the command of sir Thomas Sandys, a lieutenant in the duke of Monmouth's troop. Mr. Obrian was a son of the earl of Inchiquin. The house of commons showed its resentment by refusing to proceed with any bill until they had passed an act banishing these two worthies, who had fled to the continent, Simon Parry, Miles Reeves, &c.; and they made this a preamble to an act, making them and all future similar offenders felons, and incapable of being pardoned, but by a special act of parliament. This, usually called "the Coventry Act," is the 22nd and 23rd Car. 2, cap. 1. Sir John died a bachelor, and, which was never suspected even by his family, a Roman catholic. His will, giving the chief of his property to the jeaus, was annulled. He was the founder of an hospital at Wiveliscombe, for twelve poor persons.—*Grainger's Biog. Hist.*, Oxford ed. of this work, &c.

So now an act was proposed, reviving the former act against conventicles, with some new clauses in it. One was very extraordinary, that if any doubt should arise concerning the meaning of any part of this act, it was to be determined in the sense that was the most contrary to conventicles, it being the intention of the house to repress them in the most effectual manner possible. The other was, the laying a heavy fine on such justices of the peace, as should not execute the law, when informations were brought them \*. Upon this many, who would not be the instruments of such severities, left the bench, and would sit there no longer. This act was executed in the city very severely in Starling's mayoralty, and put things in such disorder, that many of the trading men of the city began to talk of removing with their stocks over to Holland. But the king ordered a stop to be put to farther severities. Many of the sects either discontinued their meetings, or held them very secretly with small numbers, and not in hours of public worship. Yet informers were encouraged, and were everywhere at work. The behaviour of the Quakers was more particular, and had something in it that looked bold. They met at the same place and at the same hour as before. And when they were seized, none of them would go out of the way. They went all together to prison; they staid there till they were dismissed, for they would not petition to be set at liberty, nor would they pay their fines set on them, nor so much as the jail fees, calling these the wages of unrighteousness. And as soon as they were let out, they went to their meeting-houses again; and when they found these were shut up by order, they held their meetings in the streets, before the doors of those houses. They said, they would not disown or be ashamed of their meeting together to worship God; but, in imitation of Daniel, they would do it the more publicly, because they were forbidden the doing it. Some called this obstinacy, while others called it firmness; but by it they carried their point: for the government grew weary of dealing with so much perverseness, and so began to let them alone.

The king had by this time got all the money that he expected from the house of commons, and that after great practice on both lords and commons. Many bones of contention were thrown in, to create differences between the two houses, to try if by both houses insisting on them the money-bills might fall. But, to prevent all trouble from the lords, the king was advised to go, and be present at all their debates. Lord Lauderdale valued himself to me on this advice, which he said he gave. At first the king sat decently on the throne, though even that was a great restraint on the freedom of debate, which had some effect for a while: though afterwards many of the lords seemed to speak with the more boldness, because, they said, one heard it to whom they had no other access but in that place; and they took the more liberty, because what they had said could not be reported wrong. The king, who was often weary of time, and did not know how to get round the day, liked the going to the house, as a pleasant diversion. So he went constantly. And he quickly left the throne, and stood by the fire, which drew a crowd about him, that broke all the decency of that house; for before that time every lord sat regularly in his place; but the king's coming broke the order of their sitting as became senators. The king's going thither had a much worse effect; for he became a common solicitor, not only in public affairs, but even in private matters of justice. He would in a very little time have gone round the house, and spoke to every man that he thought worth speaking to. And he was apt to do that upon the solicitation of any of the ladies in favour, or of any that had credit with them. He knew well on whom he could prevail; so, being once, in a matter of justice, desired to speak to the earl of Essex and the lord Hollis, he said, they were stiff and sullen men: but when he was next desired to solicit two others, he undertook to do it; and said, "they are men of no conscience, so I will take the government of their conscience into my own hands." Yet when any of the lords told him plainly, that they could not vote as he desired, he seemed to take it well from them. When the act against conventicles was debated in that house, Wilkins † argued long against it. The king was much for having it pass, not that he intended to execute it, but he was glad to have that body of men at mercy, and to force them to concur in the design for a

\* This act is 22nd Charles 2, c. 1; its preamble declares it to be "against the growing and dangerous practices of seditious sectaries, &c. who, under pretence

of tender consciences, have or may contrive at their meetings insurrections, as late experience hath shown."

† Bishop of Chester



general toleration. He spoke to Wilkins not to oppose it. He answered, he thought it an ill thing both in conscience and policy; therefore, both as he was an Englishman, and a bishop, he was bound to oppose it. The king then desired him not to come to the house while it depended. He said, by the law and constitution of England, and by his majesty's favour, he had a right to debate and vote; and he was neither afraid nor ashamed to own his opinion in that matter, and to act pursuant to it. So he went on; and the king was not offended with his freedom. But though he bore with such a frank refusing to comply with his desire, yet if any had made him such general answers, as led him to believe they intended to be compliant, and had not in all things done as he expected, he called that a juggling with him; and he was apt to speak hardly of them on that account. No sooner was the king at ease, and had his fleet put in good case, and his stores and magazines well furnished, than he immediately fell to negotiating with France, both to ruin Holland, and to subvert the government of England. The Brook-house business, as well as the burning his fleet, stuck as deep as any thing could do in his heart. He resolved to revenge the one, and to free himself from the apprehensions of the others returning upon him. Though the house of commons were so far practised on, that the report of Brook-house was let fall, and that matter was no more insisted on, yet he abhorred the precedent, and the discoveries that had been made upon it.

The prince of Orange came over to him in the winter of 1669. He was then in the twentieth year of his age; so he came over, both to see how the king intended to pay the great debt that he owed him, which had been contracted by his father on his account, and likewise to try what offices the king would do in order to his advancement to the statholdership. The king treated him civilly. He assured him he would pay the debt, but did not lay down any method of doing it: so these were only good words. He tried the prince, as the prince himself told me, in point of religion; he spoke of all the protestants as a factious body, broken among themselves, ever since they had broken off from the main body: and wished that he would take more pains, and look into these things better, and not be led by his Dutch blockheads. The prince told all this to Zuylestein, his natural uncle. They were both amazed at it, and wondered how the king could trust so great a secret, as his being a papist, to so young a person. The prince told me, that he never spoke of this to any other person till after his death: but he carried it always in his own mind, and could not hinder himself from judging of all the king's intentions after that, from the discovery he had then made of his own sentiments. Nor did he, upon his not complying with that proposition, expect any real assistance of the king, but general intercessions, which signified nothing; and that was all he obtained.

So far have I carried on the thread of the affairs of England, down from the peace of Breda to the year 1670, in which the negotiation with the court of France was set on foot. I am not sure, that every thing is told in just order, because I was all the while very much retired from the world and from company. But I am confident I have given a true representation of things; since I had most of these matters from persons who knew them well, and who were not likely to deceive me. But now I return to my own country, where the same spirit appeared in the administration.

The king was now upon measures of moderation and comprehension: so these were also pursued in Scotland. Leighton was the only person among the bishops who declared for these methods; and he made no step without talking it over to me. A great many churches were already vacant. The people fell off entirely from all the episcopal clergy in the western counties: and a set of hot, fiery, young teachers went about among them, inflaming them more and more: so it was necessary to find a remedy for this. Leighton proposed, that a treaty should be set on foot, in order to the accommodating our differences, and for changing the laws that had carried the episcopal authority much higher than any of the bishops themselves put in practice. He saw both church and state were rent: religion was likely to be lost: popery, or rather barbarity, was likely to come in upon us: and therefore he proposed such a scheme, as he thought might have taken with the soberest men of presbyterian principles; reckoning that, if the schism could be once healed, and order be once restored, it might be easy to bring things into such management, that the concessions then to be offered

should do no great hurt in present, and should die with that generation. He observed the extraordinary concessions made by the African church to the donatists, who were every whit as wild and extravagant as our people were; therefore he went indeed very far in the extenuating the episcopal authority: but he thought it would be easy afterwards, to recover what seemed necessary to be yielded at present.

He proposed that the church should be governed by the bishops and their clergy, mixing together in the church judicatories; in which the bishop should act only as a president, and be determined by the majority of his presbyters, both in matters of jurisdiction and ordination: and that the presbyterians should be allowed, when they sat down first in these judicatories, to declare, that their sitting under a bishop was submitted to by them only for peace sake, with a reservation of their opinion with relation to any such presidency: and that no negative vote should be claimed by the bishop: that bishops should go to the churches, in which such as were to be ordained were to serve, and hear and discuss any exceptions that were made to them, and ordain them with the concurrence of the presbytery: that such as were to be ordained should have leave to declare their opinion, if they thought the bishop was only the head of the presbyters. And he also proposed, that there should be provincial synods, to sit in course every third year, or oftener, if the king should summon them, in which complaints of the bishops should be received, and they should be censured accordingly. The laws that settled episcopacy, and the authority of a national synod, were to be altered according to this scheme. To justify, or rather to excuse these concessions, which left little more than the name of a bishop, he said, as for their protestation, it would be little minded, and soon forgotten: the world would see the union that would be again settled among us, and the protestation would lie dead in the books, and die with those that made it: as for the negative vote, bishops generally managed matters so, that they had no occasion for it; but, if it should be found necessary, it might be lodged in the king's name with some secular person, who should interpose as often as the bishop saw it was expedient to use it: and if the present race could be but laid in their graves in peace, all those heats would abate, if not quite fall off. He also thought it was a much decenter thing for bishops to go upon the place where the minister was to serve, and to ordain after solemn fasting and prayer, than to huddle it up at their cathedrals, with no solemnity, and scarcely with common decency. It seemed also reasonable, that bishops should be liable to censure, as well as other people: and that in a fixed court, which was to consist of bishops, and deans, and two chosen from every presbytery. The liberty offered to such as were to be ordained, to declare their opinion, was the hardest part of the whole. It looked like the perpetuating a factious and irregular humour. But few would make use of it. All the churches in the gift of the king, or of the bishops, would go to men of other principles. But though some things of an ill digestion were at such a time admitted, yet, if by these means the schism could be once healed, and the nation again settled in a peaceable state, the advantage of that would balance all that was lost by those abatements, that were to be made in the episcopal authority, which had been raised too high, and to correct that, was now to be let fall too low, if it were not the good that was to be hoped for from this *accommodation*; for this came to be the word, as *comprehension* was in England. He proposed farther, that a treaty might be set on foot, for bringing the presbyterians to accept of these concessions. The earl of Kincardine was against all treating with them; they were a trifling sort of disputatious people; they would fall into much wrangling, and would subdivide among themselves; and the young and ignorant men among them, that were accustomed to popular declamations, would say, here was a bargain made to sell Christ's kingdom, and his prerogative. He therefore proposed, that since we knew both their principles and their tempers, we ought to carry the concessions as far as it was either reasonable or expedient, and pass these into laws; and then they would submit to a settlement, that was made, and that could not be helped, more easily than give a consent beforehand, to any thing that seemed to entrench on that, which they called the liberty of the church. Leighton did fully agree with him in this: but lord Lauderdale would never consent to that. He said, a law that did so entirely change the constitution of the church, when it came to be passed and printed, would be construed in England as a pulling down of episcopacy; unless he could have this to say in

excuse for it, that the presbyterians were willing to come under that model. So he said, since the load of what was to be done in Scotland would fall heaviest on him, he would not expose himself so much, as the passing any such act must certainly do, till he knew what effects would follow on it. So we were forced now to try how to deal with them in a treaty.

I was sent to propose this scheme to Hutcheson, who was esteemed the most learned man among them: but I was only to try him, and to talk of it as a notion of my own. He had married my cousin-german, and I had been long acquainted with him. He looked on it as a project that would never take effect; so he would not give his opinion about it. He said, when these concessions were passed into laws, he would know what he should think of them; but he was one of many, so he avoided to declare himself. The next thing under consideration was, how to dispose of the many vacancies, and how to put a stop to conventicles. Leighton proposed, that they should be kept still vacant, while the treaty was on foot, and that the presbyterians should see how much the government was in earnest, in the design of bringing them to serve in the church, when so many places were kept open for them.

The earl of Tweeddale thought the treaty would run into a great length, and to many niceties, and would perhaps come to nothing in conclusion: so he proposed the granting some of the ousted ministers leave to go and serve in those parishes by an act of the king's indulgence, from whence it came to be called *the indulgence*. Leighton was against this. He thought nothing would bring on the presbyterians to a treaty so much as the hopes of being again suffered to return to their benefices; whereas, if they were once admitted to them, they would reckon they had gained their point, and would grow more backward. I was desired to go into the western parts, and to give a true account of matters, as I found them there. So I went, as in a visit to the duke of Hamilton, whose duchess was a woman of great piety, and great parts. She had much credit among them, for she passed for a zealous presbyterian, though she protested to me she never entered into the points of controversy, and had no settled opinion about forms of government; only she thought their ministers were good men, who kept the country in great quiet and order: they were, she said, blameless in their lives, devout in their way, and diligent in their labours. The people were all in a frenzy, and were in no disposition to any treaty. The most furious men among them were busy in conventicles, inflaming them against all agreements: so she thought, that, if the more moderate presbyterians were put in vacant churches, the people would grow tamer, and be taken out of the hands of the mad preachers, that were then most in vogue: this would likewise create a confidence in them; for they were now so possessed with prejudices, as to believe that all that was proposed was only an artifice to make them fall out among themselves, and deceive them at last. This seemed reasonable; and she got many of the more moderate of them to come to me; and they all talked in the same strain.

A strange accident happened to Sharp in July, 1668, as he was going into his coach in full day-light, the bishop of Orkney being with him: a man came up to the coach, and discharged a pistol at him with a brace of bullets in it, as the bishop of Orkney was going up into the coach. He intended to shoot through his cloak at Sharp, as he was mounting up; but the bullet stuck in the bishop of Orkney's arm, and shattered it so, that, though he lived some years after that, they were forced to open it every year for an exfoliation. Sharp was so universally hated, that, though this was done in full day-light, and on the high street, yet nobody offered to seize the assassin. So he walked off, and went home, and shifted himself of an odd wig, which he was not accustomed to wear, and came out, and walked in the streets immediately. But Sharp had viewed him so narrowly, that he discovered him afterwards, as shall be mentioned in its proper place. I lived then much out of the world; yet I thought it decent to go and congratulate him on this occasion. He was much touched with it, and put on a show of devotion upon it. He said with a very serious look, "My times are wholly in thy hand, O thou God of my life." This was the single expression savouring of piety, that ever fell from him, in all the conversation that passed between him and me. Proclamations were issued out with great rewards for discovering the actor; but nothing followed on them. On this occasion it was thought proper that he should be called



to court, and have some marks of the king's favour put on him. He promised to make many good motions ; and he talked for a while like a changed man ; and went out of his way, as he was going to court, to visit me at my parsonage house, and seemed resolved to turn to other methods. The king, as he had a particular talent that way, when he had a mind to it, treated him with special characters of favour and respect. But he made no proposition to the king ; only in general terms he approved of the methods of gentleness and moderation then in vogue.

When he came back to Scotland, he moved in council that an indulgence might be granted to some of the public resolutioners, with some rules and restraints ; such as, that they should not speak, or preach against episcopacy, and that they should not admit to either of the sacraments any of the neighbouring parishes, without a desire from their own ministers ; and that they should engage themselves to observe these rules. He knew that his proposition, for all the show of moderation that was in it, could have no effect, for the resolutioners and the protestors had laid down their old disputes, and were resolved to come under no discrimination on that account ; nor would they engage to observe any limitations that should be laid on them. They said, the government might lay restraints on them, and punish them, if they broke through them : and they would obey them, or not, at their peril. But they laid down this for a maxim : that they had received a complete ministry from Christ, and that the judicatories of the church had only power to govern them in the exercise of their function. If the king should lay any limitations on them, they might obey these, as prudence should direct : but they would not bind themselves up by any engagement of their own. Burnet, and his clergy (for the diocese of Glasgow is above the fourth part of all Scotland) came to Edinburgh full of high complaints, that the churches were universally forsaken, and that conventicles abounded in every corner of the country. A proclamation was upon that issued out, in imitation of the English act, setting a fine of 50*l.* upon every landlord, on whose grounds any conventicle was held, which he might recover, as he could, of those who were at any such conventicle. This was plainly against law ; for the council had no power by their authority to set arbitrary fines. It was pretended, on the other hand, that the act of parliament that had restored episcopacy had a clause in it, recommending the execution of that act to the privy council, by all the best ways they could think of. But the lawyers of the council board said, that in matters of property their power was certainly tied up to the direction of the law : and the clause mentioned related only to particular methods, but could not be construed so far, as this proclamation carried the matter. The proclamation went out, but was never executed. It was sent up to London, and had a show of zeal ; and so was made use of by the earl of Lauderdale to bear down the clamour that was raised against him and his party in Scotland, as if they designed to pull down episcopacy. The model of the county militia was now executed ; and above two thousand horse, and sixteen thousand foot, were armed and trained, and cast into independent regiments and troops, who were all to be under such orders as the council issued out. All this was against law ; for the king had only a power upon an extraordinary occasion to raise, and march such a body of men, as he should summon together ; and that at his own charge ; but the converting this into a standing militia, which carried with it a standing charge, was thought a great stretch of prerogative. Yet it was resolved on, though great exceptions were made to it by the lawyers, chiefly by sir John Nesbit, the king's advocate, a man of great learning, both in law and in many other things, chiefly in the Greek learning : he was a person of great integrity, and always stood firm to the law. The true secret of this design was, that lord Lauderdale was now pressing to get into the management of the affairs of England. And he saw what the court was aiming at : and he had a mind to make himself considerable by this, that he had in his hand a great army, with a magazine of arms, and a stock of money laid up in Scotland, for any accident that might happen. So all his creatures, and lady Dysart more than all the rest, had this up in all companies, that none before him ever dreamt how to make Scotland considerable to the king ; but now it began to make a great figure. An army, a magazine, and a treasure, were words of a high sound ; chiefly now that the house of commons was likely to grow so intractable, that the duke of Buckingham despaired of being able to manage them. He moved the dissolving the parliament, and calling a new one ; and thought the nation

would choose men less zealous for the church ; for these were all against him. But the king would not venture on it. He knew the house of commons was either firm to him by their own principles, or by his management they could be made so ; and therefore he would not run the risk of any new election. He had the dissenters much in his power by the severe laws under which they lay at his mercy : but he did not know what influence they might have in elections, and in a new parliament ; these he knew were in their hearts enemies to prerogative ; which he believed they would show, as soon as they got themselves to be delivered from the laws, that then put them in the king's power.

Lord Tweeddale was then at London ; and he set on foot a proposition that came to nothing, but made so much noise, and was of such importance, that it deserves to be enlarged on. It was for the union of both kingdoms. The king liked it, because he reckoned that, at least for his time, he should be sure of all the members that should be sent up from Scotland. The duke of Buckingham went in easily to a new thing ; and lord keeper Bridgman was much for it. The lord Lauderdale pressed it vehemently ; it made it necessary to hold a parliament in Scotland, where he intended to be the king's commissioner. The earl of Tweeddale was for it on other accounts, both to settle the establishment of the militia, and to get some alterations made in the laws that related to the church ; and he really drove at the union, as a thing which he thought might be brought about. Scotland, he said, was even then under great uneasiness, though the king knew the state of that kingdom ; but when another king should reign that knew not Joseph (so he expressed it) the nation would be delivered up to favourites, and be devoured by them : rich provinces, like those that belonged to Spain, could hold out long under oppression ; but a poor country would be soon dispeopled, if much oppressed : and if a king of deep designs against public liberty should careen the Scots, he might easily engage them ; since a poor country may be supposed willing to change their seats, and to break in on a richer one : there was indeed no fear of that at present ; for the dotage of the nation on presbytery, and the firmness with which the government supported episcopacy, set them so far from one another, that no engagement of that sort could be attempted ; but if a king should take a dexterous method for putting that out of the way, he might carry Scotland to any design he thought fit to engage in. Lord Tweeddale blamed sir Francis Bacon much for laying it down as a maxim, that Scotland was to be reckoned as the third part of the island, and to be treated accordingly : whereas he assured me, Scotland for numbers of people was not above a tenth part, and for wealth not above a fortieth part of the island.

The discourse of the union was kept up, till it was resolved to summon a new parliament in Scotland. Then lord Lauderdale made the king reflect on the old schemes he had laid before him at the Restoration : and he undertook to manage the parliament so, as to make it answer that end more effectually than any before him had ever done. This was resolved on in the summer of 1669. I being then at Hamilton, and having got the best information of the state of the country that I could, wrote a long account of all I had heard to the lord Tweeddale, and concluded it with an advice to put some of the more moderate of the presbyterians into the vacant churches. Sir Robert Murray told me, the letter was so well liked, that it was read to the king. Such a letter would have signified nothing, if lord Tweeddale had not been fixed in the same notion. He had now a plausible thing to support it. So my principles, and zeal for the church, and I know not what besides were raised, to make my advice signify somewhat : and it was said, I was the man that went most entirely into Leighton's maxims. So this indiscreet letter of mine, sent without communicating it to Leighton, gave the deciding stroke. And, as may be easily believed, it drew much hatred on me from all that either knew it, or did suspect it.

The king wrote a letter to the privy council, ordering them to indulge such of the presbyterians as were peaceable and loyal, so far as to suffer them to serve in vacant churches, though they did not submit to the present establishment ; and he required them to set them such rules as might preserve order and peace, and to look well to the execution of them ; and as for such as could not be provided in churches at that time, he ordered a pension of 20*l.* sterling a year, to be paid every one of them, as long as they lived orderly. Nothing followed on the second article of this letter : the presbyterians looked on this as the king's

hire to be silent, and not to do their duty: and none of them would accept of it. But, as to the first part of the letter, on the first council day after it was read, twelve of the ministers were indulged; they had parishes assigned them; and about thirty more were afterwards indulged in the same manner; and then a stop was put to it for some time. With the warrants that they had for their churches, there was a paper of rules likewise put in their hands. Hutcheson in all their names made a speech to the council: he began with decent expressions of thanks to the king, and their lordships; he said, they should at all times give such obedience to laws and orders, as could stand with a good conscience. And so they were dismissed. As for those of them that were allowed to go to the churches, where they had served before, no difficulty could be made; but those of them that were named to other churches would not enter on the serving them, till the church sessions and the inhabitants of the parish met, and made choice of them for their pastors, and gave them a call (as they worded it) to serve among them. But upon this, scruples rose among some, who said the people's choice ought to be free; whereas now they were limited to the person named by the council, which looked like an election upon a *cougé-d'élire*, with a letter naming the person, with which they had often diverted themselves. But scruples are mighty things, when they concur with inclination or interest; and when they are not supported by these, men learn distinctions to get free from them. So it happened in this case; for though some few were startled at these things, yet they lay in no man's way; for every man went, and was possessed of the church marked out for him. And at first the people of the country ran to them with a sort of transport of joy. Yet this was soon cooled. It was hoped that they would have begun their ministry with a public testimony against all that had been done in opposition to what they were accustomed to call the work of God. But they were silent at that time, and preached only the doctrines of Christianity. This disgusted all those who loved to hear their ministers preach to the times, as they called it. The stop put to the indulgence made many conclude, that those who had obtained the favour had entered into some secret engagements. So they came to call them *the king's curates*, as they had called the clergy in derision the *bishops' curates*. Their caution brought them under a worse character of *dumb dogs*, that could not bark. Those, who by their fierce behaviour had shut themselves out from a share in the indulgence, began to call this erastianism, and the civil magistrates assuming the power of sacred matters. They said, this was visibly an artifice to lay things asleep with the present generation, and was one of the depths of Satan, to give a present quiet, in order to the certain destruction of presbytery. And it was also said, that there was a visible departing of the divine assistance from those preachers: they preached no more with the power and authority that had accompanied them at conventicles. So, many began to fall off from them, and to go again to conventicles. Many of the preachers confessed to me, that they found an ignorance and a deadness among those, who had been the hottest upon their meetings, beyond what could have been imagined. They that could have argued about the intrinsic power of the church, and episcopacy, and presbytery, upon which all their sermons had chiefly run for several years, knew very little of the essentials of religion. But the indulged preachers, instead of setting themselves with the zeal and courage that became them, against the follies of the people, of which they confessed to myself they were very sensible, took a different method, and studied by mean compliances to gain upon their affections, and to take them out of the hands of some fiery men that were going up and down among them. The tempers of some brought them under this servile popularity, into which others went out of a desire to live easy.

The indulgence was settled in a hurry: but when it came to be descanted on, it appeared to be plainly against law; for by the act restoring episcopacy, none were capable of benefices but such as should own the authority of bishops, and be instituted by them. So now the episcopal party, that were wont to put all authority in the king, as long as he was for them, began to talk of law. They said the king's power was bounded by the law, and that these proceedings were the trampling of law under foot. For all parties, as they need the shelter of law, or the stretches of the prerogative, are apt by turns to magnify the one, or the other. Burnet and his clergy were out of measure enraged at the indulgence. They were not only abandoned, but ill used by the people, who were beginning to threaten, or to buy them out



of their churches, that they also might have the benefit of the indulgence. The synod of the clergy was held at Glasgow in October; and they moved that an address might be drawn up, representing to the king the miseries they were under, occasioned by the indulgence: they complained of it as illegal, and as likely to be fatal to the church. This was, according to the words in some of their acts of parliament, a misrepresenting the king's proceedings, in order to the alienating the hearts of his subjects from him; which was made capital, as may appear by the account given in the former book of the proceedings against the lord Balmerinoch. He that drew this address was one Ross, afterwards archbishop, first of Glasgow, and then of St. Andrews; who was an ignorant man, and violent out of measure. So it was drawn full of acrimony: yet they resolved to keep it secret, till advice should be taken upon it; and accordingly, to present it to the privy council, or not. A copy of this was procured by indirect methods; and it was sent up to court, after the earl of Lauderdale was come off, and was in his way to hold a parliament in Scotland. Lord Lauderdale had left all his concerns at court with sir Robert Murray; for, though at his mistress's instigation, he had used him very unworthily, yet he had so great an opinion of his virtue and candour, that he left all his affairs to his care. As soon as the king saw the clergy's address, he said, it was a new western remonstrance; and he ordered that Burnet should not be suffered to come to the parliament, and that he should be proceeded against, as far as the law could carry the matter. It was not easy to stretch this so far, as to make it criminal: but Burnet being obnoxious on other accounts, they intended to frighten him to submit, and to resign his bishopric.

The parliament was opened in November. Lord Lauderdale's speech ran upon two heads. The one was, the recommending to their care the preservation of the church, as established by law: upon which he took occasion to express great zeal for episcopacy. The other head related to the union of both kingdoms. All that was done relating to this was, that an act passed for a treaty about it; and in the following summer, in a subsequent session, commissioners were named, who went up to treat about it. But they made no progress, and the thing fell so soon, that it was very visible it was never intended in good earnest\*.

The two first acts that passed in parliament were of more importance, and had a deeper design. The first explained, and asserted the king's supremacy; but carried it in such general words, that it might have been stretched to every thing. It was declared that the settling all things relating to the external government of the church was a right of the crown: and that all things relating to ecclesiastical meetings, matters, and persons, were to be ordered according to such directions as the king should send to his privy council; and that these should be published by them, and should have the force of laws. Lord Lauderdale very probably knew the secret of the duke's religion, and had got into his favour. So it was very likely that he intended to establish himself in it, by putting the church of Scotland wholly in his power. But that was yet a secret to us all in Scotland. The method he took to get it passed was this: he told all those who loved presbytery, or that did not much favour the bishops, that it was necessary to keep them under, by making them depend absolutely on the king: this was, indeed, a transferring the whole legislature, as to the

\* Sir John Nesbit was one of the commissioners on the part of Scotland. When the English parliament met in October, 1669, the king alluded to the proposed union in his speech from the throne. The lord keeper, Bridgman, enlarged more upon the subject. He observed, that the king was convinced that nothing would tend more to the good and security of both nations than such a union; and then proceeded to shew the gradual advances that had been made towards effecting it. James the First "went so far on towards this good work, that, by an act of parliament in the first year of his reign, commissioners were authorised to treat and consult with commissioners from Scotland concerning it. In pursuance of their treating, in the fourth year of his reign, an act was made for the repeal of hostile laws, and the abolition of the memory of hostility between the two nations. In the sixth year of the same reign, it was, by the judges of all the courts at Westminster Hall, solemnly adjudged in the case of the Post-

nati, (Coke's Reports, vii. 1.) that those who, after the descent of the English crown to king James, were born in Scotland, were no aliens in England, and, consequently were capable, not only to hold lands, but to enjoy all other immunities, as if they had been born here. Such advances to a union being made, his majesty doth most heartily recommend that commissioners may be nominated to treat and consult with commissioners from Scotland concerning its completion." The king gave similar recommendations to the Scottish parliament, through the earl of Lauderdale: and, in consequence, as mentioned in the text, the commissioners met, but without any progress being made. There was too much bigotry upon the point of church government to permit a satisfactory result.—Chandler's Debates in the House of Commons, i. 127. We shall see that this important measure was not effected until 1707, the sixth year of queen Anne's reign.

matters of the church, from the parliament, and vesting it singly in the king: yet, he told them, if this were done, as the circumstances might happen to be favourable, the king might be prevailed on, if a dash of a pen would do it, to change all on a sudden: whereas that could never be hoped for, if it could not be brought about, but by the pomp and ceremony of a parliament. He made the nobility see they need fear no more the insolence of bishops, if they were at mercy, as this would make them. Sharp did not like it, but durst not oppose it. He made a long dark speech, copied out of Dr. Taylor, distinguishing between the civil and ecclesiastical authority, and then voted for it: so did all the bishops that were present: some absented themselves. Leighton was against any such act, and got some words to be altered in it. He thought it might be stretched to ill ends, and so he was very averse to it. Yet he gave his vote for it, not having sufficiently considered the extent of the words, and the consequences that might follow on such an act, for which he was very sorry as long as he lived. But at that time there was no apprehensions in Scotland of the danger of popery. Many of the best of the episcopal clergy, Nairn, and Charteris in particular, were highly offended at the act. They thought it plainly made the king our pope. The presbyterians said, it put him in Christ's stead. They said, the king had already too much power in the matters of the church: and nothing ruined the clergy more, than their being brought into servile compliances, and a base dependance upon courts. I had no share in the counsels about this act. I only thought it was designed by lord Tweeddale to justify the indulgence, which he protested to me was his chief end in it. And nobody could ever tell me how the words "ecclesiastical matters" were put in the act. Leighton thought he was sure they were put in after the draught and form of the act were agreed on. It was generally charged on lord Lauderdale. And when the duke's religion came to be known, then all people saw how much the legal settlement of our religion was put in his power by this means. Yet the preamble of the act being only concerning the external government of the church, it was thought that the words "ecclesiastical matters" were to be confined to the sense that was limited by the preamble.

The next act that passed was concerning the militia: all that had been done in raising it was approved: and it was enacted, that it should still be kept up, and be ready to march into any of the king's dominions, for any cause in which his majesty's authority, power, or greatness should be concerned; and that the orders should be transmitted to them from the council board, without any mention of orders from the king. Upon this great reflections were made. Some said that by this the army was taken out of the king's power and command, and put under the power of the council: so that if the greater part of the council should again rebel, as they did in the year 1638, the army was, by the words of this act, bound to follow their orders. But when jealousies broke out in England, of the ill designs that lay hid under this matter, it was thought that the intent of this clause was, that if the king should call in the Scotch army, it should not be necessary that he himself should send any orders for it; but that, upon a secret intimation, the council might do it without order, and then, if the design should miscarry, it should not lie on the king, but only on the council, whom in that case the king might disown; and so none about him should be blameable for it. The earl of Lauderdale valued himself upon these acts, as if he had conquered kingdoms by them. He wrote a letter to the king upon it, in which he said, all Scotland was now in his power: the church of Scotland was now more subject to him than the church of England was: this militia was now an army ready upon call: and that every man in Scotland was ready to march whensoever he should order it, with several very ill insinuations in it. But a dangerous thing it is to write letters to princes: this letter fell into duke Hamilton's hands some years after; and I had it in my hands for some days. It was intended to found an impeachment on it. But this happened at a time when the business of the exclusion of the duke from the succession of the crown was so hotly pursued, that this, which, at another time, would have made great noise, was not so much considered as the importance of it might seem to deserve. The way how it came into such hands was this: the king, after he had read the letter, gave it to sir Robert Murray; and when he died it was found among his papers. He had been much trusted in the king's laboratory, and had several of his chemical processes in his hands. So the king, after his death, did order one to

look over all his papers, for chemical matters ; but all the papers of state were let alone\*. So this, with many other papers, fell into the hands of his executors. And thus this letter came into duke Hamilton's hands, who would have made use of it if greater matters had not been then in agitation. This is not the single instance that I have known, of papers of great consequence falling into the hands of the executors of great ministers, that might have been turned to very bad uses if they had fallen into ill hands. It seems of great concern, that when a minister, or an ambassador dies, or is recalled, or is disgraced, all papers relating to the secrets of his employment should be of right in the power of the government. But I, of all men, should complain the least of this, since, by this remissness, many papers of a high nature have fallen in my way.

By the act of supremacy the king was now master, and could turn out bishops at pleasure. This had its first effect on Burnet ; who was offered a pension if he would submit and resign, and was threatened to be treated more severely if he stood out. He complied, and retired to a private state of life, and bore his disgrace better than he had done his honours. He lived four years in the shade, and was generally much pitied : he was of himself good-natured and sincere ; but was much in the power of others : he meddled too much in that which did not belong to him, and he did not understand ; for he was not cut out for a court, or for the ministry : and he was too remiss in that which was properly his business, and which he understood to a good degree ; for he took no manner of care of the spiritual part of his function.

At this time the University of Glasgow, to whom the choice of professor of divinity does belong, chose me, though unknown to them all, to be professor there. There was no sort of artifice or management to bring this about : it came of themselves : and they did it without any recommendation of any person whatsoever. So I was advised by all my friends to change my post, and go thither. This engaged me both into much study, and in a great deal of business. The clergy came all to me, thinking I had some credit with those that governed, and laid their grievances and complaints before me. They were very ill used, and were so entirely forsaken by their people, that in most places they shut up their churches : they were also threatened and affronted on all occasions. On the other hand, the gentlemen of the country came much to me, and told me such strange things of the vices of some, the follies of others, and the indiscretions of them all, that though it was not reasonable to believe all that they said, yet it was impossible not to believe a great deal of it. And so I soon saw what a hard province I was like to have of it. Accounts of the state of those parts were expected from me, and were likely to be believed. And it was not easy to know what ought to be believed, nor how matters were to be represented : for I found calumny was so equally practised on both sides, that I came to mistrust every thing that I heard. One thing was visible, that conventicles abounded, and strange doctrine was vented in them. The king's supremacy was now the chief subject of declamation : it was said, bishops were, indeed, enemies to the liberties of the church, but the king's little finger would be heavier than their loins had been. After I had been for some months among them, and had heard so much, that I believed very little, I wrote to lord Tweeddale, that disorders did certainly increase ; but, as for any particulars, I did not know what to believe, much less could I suggest what remedies seemed proper : I therefore proposed that a committee of council might be sent round the country to examine matters, and to give such orders as were at present necessary for the public quiet ; and that they might prepare a report against the next session of parliament, that then proper remedies might be found out.

Duke Hamilton, lord Kincardine, Primrose, and Drummond were sent to these parts. They met first at Hamilton, next at Glasgow : then they went to other parts ; and came back, and ended their circuit at Glasgow. They punished some disorders, and threatened both the indulged ministers and the countries with greater severities, if they should still grow more

\* We have the testimony of Sheffield, duke of Buckingham, in his "character of Charles the Second," to the fondness of this monarch for chemical, or rather alchemical pursuits. Ashmole, Kenelm, Digby, and others were patronised by this monarch, as much for their chimerical

pretensions to the knowledge of the philosopher's stone, as for their real merits. In some extended researches into the early history of chemistry, the editor was especially struck by the prevalence of this delusion among the higher classes during the seventeenth century.



and more insolent upon the favour that had been shewed them. I was blamed by the presbyterians for all they did, and by the episcopal party for all they did not; since these thought they did too little, as the others thought they did too much. They consulted much with me, and suffered me to intercede so effectually for those whom they had put in prison, that they were all set at liberty. The episcopal party thought I intended to make myself popular at their cost: so they began that strain of fury and calumny that has pursued me ever since from that sort of people, as a secret enemy to their interest, and an underminer of it. But I was, and still am, an enemy to all force and violence in matters of conscience: and there is no principle that is more hated by bad ill-natured clergymen than that.

The earls of Lauderdale and Tweeddale pressed Leighton much to accept of the see of Glasgow. He declined it with so much aversion, that we were all uneasy at it. Nothing moved him to hearken to it, but the hopes of bringing about the accommodation that was proposed, in which he had all assistance promised him from the Government. The king ordered him to be sent for to court. He sent for me on his way, where he stopped a day, to know from me what prospect there was of doing any good. I could not much encourage him; yet I gave him all the hopes that I could raise myself to: and I was then inclined to think that the accommodation was not impracticable. Upon his coming to London, he found lord Lauderdale's temper was much inflamed: he was become fierce and intractable: but lord Tweeddale made every thing as easy to him as was possible. They had turned out an archbishop; so it concerned them to put an eminent man in his room, who should order matters with such moderation, that the Government should not be under perpetual disturbance by reason of complaints from those parts.

But now the court was entering into new designs, into which lord Lauderdale was thrusting himself with an obsequious or rather an officious zeal. I will dwell no longer at present on that, than just to name the duchess of Orleans's coming to Dover, of which a more particular account shall be given, after that I have laid together all that relates to Scotland in the year 1670, and the whole business of the accommodation. Leighton proposed to the king his scheme of the accommodation, and the great advantages which his majesty's affairs would have if that country could be brought into temper. The king was at this time gone off from the design of a comprehension in England. Toleration was now thought the best way. Yet the earl of Lauderdale possessed him with the necessity of doing somewhat to soften the Scots, in order to the great design he was then engaging in. Upon that the king, who seldom gave himself the trouble to think twice of any one thing, gave way to it. Leighton's paper was, in some places, corrected by sir Robert Murray, and was turned into instructions, by which lord Lauderdale was authorised to pass the concessions that were to be offered into laws. This he would never own to me, though Leighton showed me the copy of them. But it appeared probable, by his conduct afterwards, that he had secret directions to spoil the matter, and that he intended to deceive us all. Lord Tweeddale was more to be depended on. But he began to lose ground with Lady Dysart: and so his interest did not continue strong enough to carry on such a matter.

Leighton undertook the administration of the see of Glasgow: and it was a year after this before he was prevailed on to be translated thither. He came, upon this, to Glasgow, and held a synod of his clergy, in which nothing was to be heard but complaints of desertion and ill usage from them all. Leighton, in a sermon that he preached to them, and in several discourses, both in public and private, exhorted them to look up more to God, to consider themselves as the ministers of the cross of Christ, to bear the contempt and ill usage they met with, as a cross laid on them, for the exercise of their faith and patience, to lay aside all the appetites of revenge, to humble themselves before God, to have many days for secret fasting and prayers, and to meet often together, that they might quicken and assist one another in those holy exercises; and then they might expect blessings from heaven upon their labours. This was a new strain to the clergy. They had nothing to say against it: but it was a comfortless doctrine to them, and they had not been accustomed to it. No speedy ways were proposed for forcing the people to come to church, nor for sending soldiers among them, or raising the fines to which they were liable. So they

went home as little edified with their new bishop as he was with them. When this was over, he went round some parts of the country to the most eminent of the indulged ministers, and carried me with him. His business was, to persuade them to hearken to propositions of peace. He told them some of them would be quickly sent for to Edinburgh, where terms would be offered them in order to the making up our differences: all was sincerely meant: they would meet with no artifices nor hardships: and if they received those offers heartily, they would be turned into laws: and all the vacancies then in the church would be filled by their brethren. They received this with so much indifference, or rather neglect, that it would have cooled any zeal that was less warm and less active than that good man's was. They were scarcely civil; and did not so much as thank him for his tenderness and care: the more artful among them, such as Hutcheson, said it was a thing of general concern, and that they were but single men. Others were more metaphysical, and entertained us with some poor arguings and distinctions. Leighton began to lose heart. Yet he resolved to set the negotiation on foot, and carry it as far as he could.

When lord Lauderdale came down to hold a session of parliament, letters were written to six of the presbyterian preachers, ordering them to come to town. There was a long conference between Leighton and them, before the earls of Lauderdale, Rothes, Tweeddale, and Kincardine. Sharp would not be present at it: but he ordered Paterson, afterwards archbishop of Glasgow, to hear all, and to bring him an account of what passed. Leighton laid before them the mischief of our divisions, and of the schism that they had occasioned; many souls were lost, and many more were in danger by these means: so that every one ought to do all he could to heal this wide breach, that had already let in so many evils among us, which were likely to make way to many more: for his own part, he was persuaded that episcopacy, as an order distinct from presbyters, had continued in the church ever since the days of the apostles; that the world had every where received the christian religion from bishops, and that a parity among clergymen was never thought of in the church before the middle of the last century, and was then set up rather by accident than on design: yet, how much soever he was persuaded of this, since they were of another mind, he was now to offer a temper to them, by which both sides might still preserve their opinions, and yet unite in carrying on the ends of the gospel and their ministry: they had moderators amongst them, which was no divine institution, but only a matter of order: the king, therefore, might name these; and the making them constant could be no such encroachment on their function, as that the peace of the church must be broken on such an account: nor could they say that the blessing of the men named to this function, by an imposition of hands, did degrade them from their former office, to say no more of it: so they were still at least ministers: it is true others thought they had a new and special authority, more than a bare presidency: that did not concern them, who were not required to concur with them in anything, but in submitting to this presidency: and, as to that, they should be allowed to declare their own opinion against it, in as full and as public a manner as they pleased: he laid it to their consciences to consider of the whole matter, as in the presence of God, without any regard to party or popularity. He spoke, in all, nearly half an hour, with a gravity and force that made a very great impression on those who heard it. Hutcheson answered, and said their opinion for a parity among the clergy was well known: the presidency now spoken of had made way to a lordly dominion in the church; and, therefore, how inconsiderable soever the thing might seem to be, yet the effects of it both had been, and would be, very considerable: he therefore desired some time might be given them to consider well of the propositions now made, and to consult with their brethren about them: and, since this might seem an assembling together against law, he desired they might have the king's commissioner's leave for it. This was immediately granted. We had a second conference, in which matters were more fully opened, and pressed home, on the grounds formerly mentioned. Lord Lauderdale made us all dine together, and came to us after dinner: but could scarcely restrain himself from flying out, for their behaviour seemed both rude and crafty. But Leighton had prepared him for it, and pressed him not to give them a handle to excuse their flying off by any roughness in his deportment towards them. The propositions offered them were now generally known. Sharp cried out that episcopacy was to be undermined, since the negative

vote was to be let go. The inferior clergy thought that if it took effect, and the presbyterians were to be generally brought into churches, they would be neglected, and that their people would forsake them. So they hated the whole thing. The bigoted presbyterians thought it was a snare, and the doing that which had a fair appearance at present, and was meant only to lay that generation in their graves in peace; by which means episcopacy, that was then shaking over all the nation, would come to have another root, and grow again out of that. But the far greater part of the nation approved of this design: and they reckoned, either we should gain our point, and then all would be quiet, or if such offers were rejected by the presbyterians, it would discover their temper, and alienate all indifferent men from them; and the nation would be convinced how unreasonable and stubborn they were, and how unworthy they were of any farther favour. All that was done in this session of parliament was, the raising a tax, and the naming commissioners for the union with England; besides two severe acts passed against conventicles.

There had been a great one held in Fife, near Dunfermline, where none had ever been held before. Some gentlemen of estate were among them: and the novelty of the thing drew a great crowd together; for intimation had been given of it some days before. Many of these came in their ordinary arms. That gave a handle to call them the rendezvous of rebellion. Some of them were taken and brought to Edinburgh, and pressed to name as many as they knew of their fellow conventiclers: but they refused to do it. This was sent up to court, and represented as the forerunner of rebellion: upon which lord Lauderdale, hearing what use his enemies made of it, was transported almost to fits of rage. Severe acts passed upon it, by which their fines were raised higher, and they were made liable to arbitrary severities. The earl of Lauderdale, with his own hand, put in a word in the act that covered the papists, the fines being laid on such of the reformed religion as went not to church. He pretended by this to merit with the popish party, the duke in particular; whose religion was yet a secret to us in Scotland, though it was none at court. He said to myself, he had put in these words on design, to let the party know they were to be worse used than the papists themselves. All field conventicles were declared treasonable: and in the preacher, they were made capital. The landlords, on whose grounds they were held, were to be severely fined: and all who were at them were to be punished arbitrarily if they did not discover all that were present whom they knew. House conventicles, crowded without the doors, or at the windows, were to be reckoned and punished as field conventicles. Sir Robert Murray told me that the king was not well pleased with this act, as being extravagantly severe; chiefly in that of the preachers being to be punished by death. He said bloody laws did no good, and that he would never have passed it if he had known it beforehand. The half of the parliament abhorred this act: yet so abject were they in their submissions to lord Lauderdale, that the young earl of Cassilis was the single person that voted in the negative. This passed in parliament so suddenly, that Leighton knew nothing of it till it was too late. He expostulated with lord Tweeddale severely about it: he said the whole complexion of it was so contrary to the common rules of humanity, not to say christianity, that he was ashamed to mix in counsels with those who could frame and pass such acts: and he thought it somewhat strange that neither he nor I had been advised with in it. The earl of Tweeddale said, the late field conventicle being a new thing, it had forced them to severities that at another time could not be well excused: and he assured us there was no design to put it in execution.

Leighton sent to the western counties six episcopal divines, all, except myself, brought from other parts: Nairn and Charteris were two of them: the three others, Aird, Cook, and Paterson, were the best we could persuade to go round the country to preach in vacant churches, and to argue upon the grounds of accommodation with such as should come to them. The episcopal clergy, who were yet in the country, could not argue much for any thing; and would not at all argue in favour of a proposition that they hated. The people of the country came generally to hear us, though not in great crowds. We were, indeed, amazed to see a poor commonalty so capable of arguing upon points of government, and on the bounds to be set to the power of princes in matters of religion: upon all these topics they had texts of scripture at hand, and were ready with their answers



to any thing that was said to them. This measure of knowledge was spread even among the meanest of them, their cottagers, and their servants. They were, indeed, vain of their knowledge, much conceited of themselves, and were full of a most entangled scrupulosity; so that they found, or made, difficulties in every thing that could be laid before them. We stayed about three months in the country; and in that time there was a stand in the frequency of conventicles: but, as soon as we were gone, a set of those hot preachers went round all the places in which we had been, to defeat all the good we could hope to do. They told them the devil was never so formidable as when he was transformed into an angel of light.

The ousted ministers had many meetings in several parts of the kingdom. They found themselves under great difficulties. The people had got it among them, that all that was now driven at was only to extinguish presbytery, by some seeming concessions with the present generation; and that if the ministers went into it they gave up their cause, that so they themselves might be provided for during their lives, and die at more ease. So they, who were strangely subdued by their desire of popularity, resolved to reject the propositions, though they could not well tell on what grounds they should justify it. A report was also spread among them, which they believed, and had its full effect upon them: it was said that the king was alienated from the church of England, and weary of supporting episcopacy in Scotland; and so was resolved not to clog his government any longer with it; and that the concessions now made did not arise from any tenderness we had for them, but from an artifice to preserve episcopacy. so they were made believe that their agreeing to them was really a strengthening of that government, which was otherwise ready to fall with its own weight. And because a passage of scripture, according to its general sound, was apt to work much on them, that of "Touch not, taste not, handle not," was often repeated among them. It was generally agreed on to reject the offers made them. The next debate among them was, about the reasons they were to give for rejecting them; or whether they would comply with another proposition which Leighton had made them, that if they did not like the propositions he had made, they would see if they could be more happy than he was, and offer at other propositions. In their meetings they named two to maintain the debate, pro and con. They disputed about the protestation that they were allowed to make: and "*protestatio contraria facto*" was a maxim that was in great vogue among them. They argued upon the obligation by the covenant to maintain the church as then established, in doctrine, worship, discipline, and government: and so every thing that was contrary to that, was represented as a breach of their covenant: and none durst object to that. But that they might make a proposition which they were sure would not be hearkened to, they proposed that, among the concessions to be insisted on, one might be, a liberty to ordain without the bishops. When we heard what their reasonings were, papers were written, and sent among them, in answer to them. But it is a vain thing to argue when a resolution is taken up, not founded on argument—and arguments are only sought for to justify that which is already resolved on. We pressed them with this, that, notwithstanding their covenant, they themselves had afterwards made many alterations much more important than this of submitting to a constant moderator named by the king. Cromwell took from them the power of meeting in general assemblies; yet they went on doing the other duties of their function, though this, which they esteemed the greatest of all their rights, was denied them. When an order came out to sequester the half of the benefices of such as should still pray for the king, they upon that submitted, though before they had asserted it as a duty to which they were bound by their covenant: they had discontinued their ministry in obedience to laws and proclamations now for nine years: and those who had accepted the indulgence had come in by the king's authority, and had only a parochial government, but did not meet in presbyteries: from all which we inferred, that when they had a mind to lay down any thing that they thought a duty, or to submit to any thing that they thought an invasion of their rights, they could find a distinction for it: and it was not easy to shew why they were not as compliant in this particular. But all was lost labour: hot men among them were positive, and all of them were full of contention.

Duchess Hamilton sent for some of them, Hutcheson in particular. She said she did not

pretend to understand nice distinctions, and the terms of dispute: here was plain sense: the country might be again at quiet, and the rest of those that were ousted admitted to churches on terms that seemed to all reasonable men very easy: their rejecting this would give a very ill character of them, and would have very bad effects, of which they might see cause to repent when it would be too late. She told me all that she could draw from him, that she understood, was, that he saw the generality of their party was resolved against all treaties, or any agreement; and that if a small number should break off from them, it would not heal the old breaches, but would create new ones. In conclusion, nothing was likely to follow on this whole negotiation: we, who were engaged in it, had lost all our own side by offering at it; and the presbyterians would not make one step towards us.

Leighton desired another meeting with them at Paisley, to which he carried me and one or two more. They were about thirty. We had two long conferences with them. Leighton laid out before them the obligations that lay on them to seek for peace at all times, but more especially when we already saw the dismal effects of our contentions: there could be no agreement unless on both sides there was a disposition to make some abatements, and some steps towards one another: it appeared that we were willing to make even unreasonable ones on our side: and would they abate nothing in theirs? Was their opinion so mathematically certain, that they could not dispense with any part of it for the peace of the church and for the saving of souls? Many poor things were said on their side which would have made a less mild man than he was lose all patience. But he bore with all; and urged this question on them, would they have held communion with the church of God at the time of the council of Nice, or not? If they should say not, he would be less desirous of entering into communion with them; since he must say of the church at that time, "Let my soul be with theirs:" if they said they would; then he was sure they would not reject the offers now made them, which brought episcopacy much lower than it was at that time. One of the most learned among them had prepared a speech full of quotations, to prove the difference between the primitive episcopacy and ours at present. I was then full of those matters: so I answered all his speech, and every one of his quotations, and turned the whole upon him, with advantages that were too evident to be so much as denied by their own party: and it seemed the person himself thought so, for he did not offer at one word of reply. In conclusion, the presbyterians desired that the propositions might be given them in writing; for hitherto all had passed only verbally, and words, they said, might be misunderstood, misrepeated, and denied. Leighton had no mind to do it: yet, since it was plausible to say they had nothing but words to shew to their brethren, he wrote them down, and gave me the original, which I still have in my hands, but suffered them to take as many copies of it as they pleased. At parting he desired them to come to a final resolution as soon as they could, for he believed they would be called for by the next January to give their answers. And by the end of that month, they were ordered to come to Edinburgh. I went thither at the same time, upon Leighton's desire.

We met at the earl of Rothes's house, where all this treaty came to a short conclusion. Hutcheson, in all their names, said they had considered the propositions made to them, but were not satisfied in their consciences to accept of them. Leighton desired to know upon what grounds they stood out. Hutcheson said it was not safe to argue against law. Leighton said, that since the government had set on a treaty with them in order to the altering the laws, they were certainly left to a full freedom of arguing against them: these offers were no laws: so the arguing about them could not be called an arguing against law: he offered them a public conference upon them, in the hearing of all that had a mind to be rightly informed: he said the people were drawn into those matters so far as to make a schism upon them: he thought it was therefore very reasonable that they should likewise hear the grounds examined upon which both sides went. Hutcheson refused this: he said he was but one man; and that what he said was in the name of his brethren, who had given him no farther authority. Leighton then asked if they had nothing on their side to propose towards the healing of our breaches. Hutcheson answered, their principles were well enough known, but he had nothing to propose. Upon this Leighton, in a long discourse, told what was the design he had been driving at in all this negotiation:

it was to procure peace, and to promote religion: he had offered several things which he was persuaded were great diminutions of the just rights of episcopacy: yet since all church power was for edification, and not for distraction, he had thought that, in our present circumstances, it might have conduced as much to the interest of religion, that episcopacy should divest itself of a great part of the authority that belonged to it, as the bishops' using it in former ages had been an advantage to religion: his offers did not flow from any mistrust of the cause: he was persuaded episcopacy was handed down through all the ages of the church from the apostles' days: perhaps he had wronged the order by the concessions he had made: yet he was confident God would forgive it, as he hoped his brethren would excuse it: now they thought fit to reject these concessions, without either offering any reason for doing it, or any expedient on their side: therefore, the continuance of our divisions must lie at their door, both before God and man: if ill effects followed upon this, he was free of all blame, and had done his part. Thus was this treaty broken off, to the amazement of all sober and dispassionate people, and to the great joy of Sharp, and the rest of the bishops; who now for a while seemed even pleased with us, because we had all along asserted episcopacy, and had pleaded for it in a high and positive strain.

I hope this will be thought a useful part of the history of that time; none knew the steps made in it better than myself. The fierce episcopal men will see, how much they were to blame for accusing that apostolical man Leighton, as they did, on this occasion: as if he had designed in this whole matter to betray his own order, and to set up presbytery. The presbyterians may also see, how much their behaviour disgusted all wise, moderate, and good men, when they rejected propositions, that came so home even to the maxims they had set up, that nothing but the fear of offending, that is of losing the credit they had with their party, could be so much as pretended for their refusing to agree to them. Our part in the whole negotiation was sincere and open. We were actuated by no other principle, and had no other design, but to allay a violent agitation of men's spirits, that was throwing us into great distractions, and to heal a breach that was likely to let in an inundation of miseries upon us, as has appeared but too evidently ever since. The high party, keeping still their old bias to persecution, and recovering afterwards their credit with the government, carried violent proceedings so far, that, after they had thrown the nation into great convulsions, they drew upon themselves such a degree of fury from enraged multitudes, whom they had oppressed long and heavily, that, in conclusion, the episcopal order was put down, as shall be told in its proper place. The roughness of our own side, and the perverseness of the presbyterians, did so much alienate me from both, that I resolved to withdraw myself from any farther meddling, and to give myself wholly to study. I was then, and for three years after that, offered to be made a bishop; but I refused it. I saw the counsels were altering above, so I resolved to look on, and see whither things would turn.

My acquaintance at Hamilton, and the favour and friendship I met with from both the duke and duchess, made me offer my service to them, in order to the search of many papers, that were very carefully preserved by them; for the duchess's uncle had charged her to keep them with the same care as she kept the writings of her estate; since in these a full justification of her father's public actings, and of his own, would be found when she should put them in the hands of one that could set them in order, and in a due light. She put them all in my hands, which I acknowledge was a very great trust: and I made no ill use of it. I found there materials for a very large history. I wrote it with great sincerity, and concealed none of their errors. I did indeed conceal several things that related to the king: I left out some passages that were in his letters: in some of which was too much weakness, and in others too much craft and anger. I got through that work in a few months\*. When the earl of Lauderdale heard that I had finished it, he desired me to come up to him, for he was sure he could both rectify many things, and enlarge on a great many more. His true design was to engage me to put in a great deal relating to himself in that work. I found another degree of kindness and confidence from him upon my coming up, than ever before. I had nothing to ask for myself, but to be excused from the offer of two bishoprics. But

\* This work is a very authentic and full authority concerning the events of the struggle between Charles the First and the parliament.



whatsoever I asked for any other person was granted ; and I was considered as his favourite. He trusted me with all secrets, and seemed to have no reserves with me. He indeed pressed me to give up with sir Robert Murray ; and I saw, that upon my doing that, I should have as much credit with him as I could desire. Sir Robert himself apprehended this would be put to me, and pressed me to comply with him in it. But I hated servitude, as much as I loved him ; so I refused it flatly. I told lord Lauderdale that sir Robert had been as a second father, or governor to me, and therefore I could not break friendship with him. But I promised to speak to him of nothing that he trusted to me. And this was all that ever he could bring me to, though he put it often to me. I was treated by him with an entire confidence. Applications were made to me, and every thing that I proposed was done. I laid before him the ill state the affairs of Scotland were falling into, by his throwing off so many of his friends. Duke Hamilton and he had been for some years in ill terms. I laid down a method for bringing them to a better understanding. I got kind letters to pass on both sides, and put their reconciliation in so fair a way, that upon my return to Scotland it was for that time fully made up. I had authority from him to try, how both the earls of Argyle and Tweeddale might return to their old friendship with him. The earl of Argyle was ready to do every thing ; but the earl of Athol had proposed a match between his son and lady Dysart's daughter, and he had an hereditary hatred to the lord Argyle and his family ; so that could not be easily brought about. Lord Tweeddale was resolved to withdraw from business. The earl of Lauderdale had for many years treated his brother, the lord Halton, with as much contempt as he deserved ; for he was both weak and violent, insolent and corrupt. He had promised to settle his estate on his daughter, when the lord Tweeddale's son married her : but his brother offered now every thing that lady Dysart desired, provided she would get his brother to settle his estate on him. So lord Halton was now taken into affairs, and had so much credit with his brother, that all the dependence was upon him. And thus the breach between the earls of Lauderdale and Tweeddale was irreconcilable, though I did all I could to make it up.

As to church affairs, lord Lauderdale asked my opinion concerning them. I gave it frankly, to this purpose : there were many vacancies in the disaffected counties, to which no conformable men of any worth could be prevailed on to go ; so I proposed, that the indulgence should be extended to them all, and that the ministers should be put into those parishes by couples, and have the benefice divided between them ; and, in the churches, where the indulgence had already taken place, that a second minister should be added, and have the half of the benefice : by this means I reckoned, that all the ousted ministers would be again employed, and kept from going round the uninfected parts of the kingdom. I also proposed that they should be confined to their parishes, not to stir out of them without leave from the bishop of the diocese, or a privy councillor ; and that, upon transgressing the rules that should be sent them, a proportion of their benefice should be forfeited, and applied to some pious use. Lord Lauderdale heard me to an end : and then, without urging one word upon any one branch of this scheme, he desired me to put it in writing ; which I did. And the next year, when he came down again to Scotland, he made one write out my paper, and turned it into the style of instructions ; so easily did he let himself be governed by those whom he trusted, even in matters of great consequence. Four bishops happened to die that year, of which Edinburgh was one. I was desired to make my own choice ; but I refused them all : yet I obtained a letter to be written, by the king's order, to lord Rothes, that he should call the two archbishops, and four of the officers of state, and send up their opinion to the king of the persons fit to be promoted ; and a private letter was written to the lords, to join with Leighton in recommending the persons that he should name. Leighton was uneasy, when he found that Charteris, and Nairn, as well as myself, could not be prevailed on to accept bishoprics. They had an ill opinion of the court, and could not be brought to leave their retirement. Leighton was troubled at this. He said, if his friends left the whole load on him, he must leave all to Providence : yet he named the best men he could think on. And, that Sharp might not have too public an affront put on him, Leighton agreed to one of his nomination. But now I go to open a scene of another nature.

The court was now going into other measures. The parliament had given the king all

the money he had asked for repairing his fleet, and for supplying his stores and magazines. Additional revenues were also given for some years. But at their last sitting, in the beginning of the year 1670, it appeared that the house of commons were out of countenance for having given so much money, and seemed resolved to give no more. All was obtained under the pretence of maintaining the Triple Alliance. When the court saw how little reason they had to expect farther supplies, the duke of Buckingham told the king, that now the time was come, in which he might both revenge the attempt on Chatham, and shake off the uneasy restraint of a house of commons. And he got leave from the king to send over sir Ellis Leighton to the court of France, to offer the project of a new alliance and a new war. Sir Ellis told me this himself; and was proud to think, that he was the first man employed in those black and fatal designs. But, in the first proposition made by us, the subduing of England, and the toleration of popery, here was offered, as that with which the design must be begun. France, seeing England so inclined, resolved to push the matter farther.

The king's sister, the duchess of Orleans, was thought the wittiest woman in France. The king of France had made love to her, with which she was highly incensed, when she saw it was only a pretence, to cover his addresses to Mademoiselle La Valière, one of her maids of honour, whom he afterwards declared openly to be his mistress: yet she had reconciled herself to the king, and was now so entirely trusted by him, that he ordered her to propose an interview with her brother at Dover. The king went thither, and was so much charmed with his sister, that every thing she proposed, and every favour she asked, was granted. The king could deny her nothing. She proposed an alliance, in order to the conquest of Holland. The king had a mind to have begun at home; but she diverted him from that. It could not be foreseen what difficulties the king might meet with upon the first opening the design: as it would alarm all his people, so it would send a great deal of wealth and trade, and perhaps much people, over to Holland; and by such an accession they would grow stronger, as he would grow weaker. So she proposed that they should begin with Holland, and attack it vigorously, both by sea and land: and upon their success in that, all the rest would be an easy work. This account of that negotiation was printed twelve years after, at Paris, by one Abbot Primi. I had that part of the book in my hands, in which this was contained. Lord Preston was then the king's envoy at Paris; so he, knowing how great a prejudice the publishing this would be to his master's affairs, complained of it. The book was upon that suppressed; and the writer was put in the Bastille. But he had drawn it out of the papers of M. Le Tellier's office: so there is little reason to doubt of the truth of the thing. Madame, as this book says, prevailed to have her scheme settled, and so went back to France. The journey proved fatal to her; for the duke of Orleans had heard such things of her behaviour, that it was said he ordered a great dose of sublimate to be given her, in a glass of succory water, of which she died a few hours after, in great torments; and when she was opened, her stomach was all ulcerated\*.

\* It is almost certain she was poisoned. Mr. speaker Onslow says, he saw letters from the duke of Montague, then our ambassador to France, in which he hints at the fact; and sir William Temple told the earl of Dartmouth, he found sufficient cause to advise the king to cease from prosecuting the enquiry, as he was not in a condition to treat the crime as a monarch ought, and he might prejudice her daughters' interests. One was afterwards married to the king of Spain, the other to the duke of Savoy.—(Oxford edition of this work.) The whole conduct of the duchess was calculated to rouse the jealousy of her husband. She fully coincided with the licentious manners of the Parisian court; was continually involved in amorous intrigues; and so far outraged decency as to bring with her to England Louise de Querouaille, afterwards duchess of Portsmouth, for the avowed purpose of influencing her brother, by pandering to the passion of which he was most the slave. The duke of Orleans was jealous of his wife's infidelity, and strictly forbade her journeying to London; so the French king, on the plea of visiting the national fortifications, came to Dunkirk with his court; and whilst

he remained there, the duchess passed across the channel to Dover, where Charles and all his courtiers met her. This conduct inflamed the duke to the murderous resolution that followed, though we have no evidence in support of the charge that seems to have brought his resentment to a climax; namely, that an incestuous intercourse had taken place between her and king Charles. On the contrary, we have her dying declaration to Mr. Ralph Montague, that such accusation was false.—(Cunningham's Hist. of Great Britain; Fox's James the Second, &c.) The letters of Colbert, the French ambassador, and other authorities, demonstrate that the object of Charles in this secret treaty was to establish the papal religion in England, and to obtain a pension from France. The dissolution of the Triple Alliance, by attacking Holland, was only a preliminary step, having for its object the weakening the protestant combination for mutual support. "The king told me," says Colbert, writing to his master, "he believed that I must have thought, after reading his proposals, that he and all those to whom he had intrusted the conduct of this affair, must be mad to pretend to re-establish the catholic

Since I mention her death, I will set down one story of her, that was told me by a person of distinction, who had it from some who were well informed of the matter. The king of France had courted Madame Soissons, and made a show of courting Madame: but his affections fixing on Mademoiselle La Valière, she whom he had forsaken, as well as she whom he had deceived, resolved to be revenged; and they entered into a friendship in order to that. They had each of them a gallant; Madame had the Count de Guiche, and the other had the Marquis des Vardes, then in great favour with the king, and a very graceful person. When the treaty of the king of France's marriage was set on foot, there was an opinion generally received, that the infanta of Spain was a woman of great genius, and would have a considerable stroke in all affairs. So, many young men of quality set themselves to learn the Spanish language, to give them the more credit with the young queen. All that fell to the ground, when it appeared how weak a woman she was. These two were of that number. Count de Guiche watched an occasion, when a letter from the king of Spain was given to his daughter by the Spanish ambassador, and she tore the envelope, and let it fall. He gathered up all the parcels of it, together with the seal. From these they learned to imitate the king of Spain's writing. And they sent to Holland to get a seal engraven from the impression of the wax. When all was prepared, a letter was written, as in the name of the king of Spain, reproaching his daughter for her tameness in suffering such an affront, as the king put on her by his amours, with reflections full both of contempt and anger upon the king. There was one Spanish lady left about the queen; so they forged another letter, as from the Spanish ambassador to her, with that to the queen inclosed in it, desiring her to deliver it secretly into the queen's own hand. And they made a livery, such as the Spanish ambassador's pages wore; and a boy was sent in it with the letter. The lady suspected no forgery, but fancied the letter might be about some matter of state. She thought it safest to carry it to the king, who reading it, ordered an enquiry to be made about it. The Spanish ambassador saw he was abused in it. The king spoke to the Marquis des Vardes, not suspecting that he was in it, and charged him to search after the author of this abuse, that was intended to be put on him. The two ladies now rejoiced, that the looking after the discovery was put in the hands of a man so much concerned in it. He amused the king with the enquiries that he was making, though he was ever in a wrong scent: but in all this time Madame was so pleased with his conduct, that she came to like his person, and had so little command of herself, that she told Madame Soissons she was her rival. The other readily complied with her: and, by an odd piece of extravagance, he was sent for. And Madame Soissons told him, since he was in Madame's favour, she released him from all obligations, and delivered him over to her. The Marquis des Vardes thought this was only an artifice of gallantry, to try how faithful he was to his amours; so he declared himself incapable of changing, in terms full of respect for Madame, and of passion for the other. This raised in Madame so deep a resentment, that she resolved to sacrifice Des Vardes, but to save the Count de Guiche. So she gave him notice, that the king had discovered the whole intrigue, and charged him to hasten out of France. And, as soon as she believed that he was in Flanders, she told all to the king of France. Upon which Des Vardes was not only disgraced, but kept long a prisoner in Aigues-Mortes: and afterwards he was suffered to come to Montpellier. And it was almost twenty years after, before he was suffered to come to court. I was at court when he came first to it. He was much broken in health, but was become a philosopher, and was in great reputation among all Des

religion in England; yet he hoped, that, with your majesty's support, this great undertaking would have a happy issue: that the presbyterians and all the other sects had a greater aversion to the church of England than to the catholics: that all the sectaries breathed no other wish than for liberty of conscience; and that, provided they could obtain it, as it was his design they should, they would not oppose his religion: that, besides, he had good troops well affected to him; and that, if the late king, his father, had had so many, he would have stifled in their birth the troubles that caused his ruin: that he would still augment as much as possible his regiments and companies, under

the most specious pretences he could devise: that all the magazines of arms were at his disposal, and all well filled: that he was assured of the principal places in England and Scotland: that the governor of Hull was a catholic; that those of Portsmouth, Plymouth, &c. would never swerve from their obedience to him: that as to the troops in Ireland, he hoped the duke of Ormond, who had great credit there, would be faithful to him; and that though the duke, not approving this change of religion, should fail in his duty, lord Orrery, who was a catholic in his heart, and who had much more influence in that army, would lead it wherever his majesty should command him."



Cartes' followers. Madame had an intrigue with another person, whom I knew well, the Count of Treville. When she was in her agony, she said, "Adieu Treville." He was so struck with this accident, that it had a good effect on him; for he went and lived many years among the fathers of the Oratory, and became both a very learned and devout man. He came afterwards out into the world. I saw him often. He was a man of a very sweet temper, only a little too formal for a Frenchman: but he was very sincere. He was a Jansenist. He hated the Jesuits, and had a very mean opinion of the king, which appeared in all the instances in which it was safe for him to shew it.

Upon Madame's death, as the Marshal Bellefonds came from France with the compliment to the court of England, so the duke of Buckingham was sent thither on pretence to return the compliment, but really to finish the treaty. The king of France used him in so particular a manner, knowing his vanity, and caressed him to such a degree, that he went without reserve into the interests of France: yet he protested to me, that he never consented to the French fleet's coming into our seas and harbours. He said, he was offered 40,000*l.* if he could persuade the king to yield to it; and he appealed to the earl of Dorset for this, who was in the secret. He therefore concluded, since, after all the uncasiness shewed at first, the king had yielded to it, that lord Arlington had the money. Lord Shaftesbury laid the blame of this chiefly on the duke of Buckingham: for he told me, that he himself had written a peremptory instruction to him from the king, to give up all treaty, if the French did insist on the sending a fleet to our assistance: and therefore he blamed him, as having yielded it up, since he ought to have broken off all farther treaty, upon their insisting on this. But the duke of York told me, there was no money given to corrupt the king's ministers; that the king and he had long insisted on having all their supplies from France in money, without a fleet; and that the French shewed them it was not possible for them to find out funds for so great an expense, unless we took a squadron of their ships; since they could not both maintain their own fleet and furnish us with the money that would be necessary, if we took not their squadron. It was agreed that the king should have 350,000*l.* a year during the war, together with a fleet from France. England was to attack the Dutch by sea, while the king of France should invade them by land with a mighty army. It was not doubted but that the states would find it impossible to resist so great a force, and would therefore submit to the two kings: so the division they agreed on was, that England should have Zealand, and that the king of France should have all the rest, except Holland, which was to be given to the Prince of Orange, if he would come into the alliance: and it should be still a trading country, but without any capital ships. Lord Lauderdale said upon that occasion to me, that whatsoever they intended to do, they were resolved to do it effectually all at once; but he would not go into farther particulars. That the year 1672 might be fatal to other commonwealths, as well as to the states, the duke of Savoy was encouraged to make a conquest of Genoa, though he afterwards failed in the attempt; and the king of Denmark was invited into the alliance, with the offer of the town of Hamburgh, on which he had long set his heart. The duke of Richmond was sent to give a lustre to that negotiation, which was chiefly managed by Mr. Henshaw; who told me, that we offered that king some ships to assist him in seizing that rich town. But he was then in those engagements with the states of Holland, that even this offer did not prevail on him.

Lockhart was at this time brought to court by lord Lauderdale, hoping that he would continue in an entire dependence on him, and be his creature. He was under so great a jealousy from the government for his former actings, that he was too easy to enter into any employment, that might bring him into favour, not so much out of any ambition to rise, as from a desire to be safe, and to be no longer looked on as an enemy to the court; for when a foreign minister asked the king's leave to treat with him in his master's name, the king consented; but with this severe reflection, that he believed he would be true to any body but himself. He was sent to the courts of Brandenburg and Lunenburgh, either to draw them into the alliance, or if that could not be done, at least to secure them from all apprehensions. But in this he had no success. And indeed when he saw into what a negotiation he was engaged, he became very uneasy; for, though the blackest part of the secret

was not trusted to him, as appeared to me by his instructions, which I read after his death, yet he saw whither things were going. And that affected him so deeply, that it was believed to have contributed not a little to the languishing he soon fell under, which ended in his death two years after.

The war being thus resolved on, some pretences were in the next place to be sought out to excuse it; for, though the king of France went more roundly to work, and published that he was so ill satisfied with the conduct of the States, that it did not consist with his glory to bear it any longer, yet we thought it decent for us to name some particulars. It was said, we had some pretensions on Surinam, not yet completely satisfied; and that the States harboured traitors that fled from justice, and lived in Holland: some medals were complained of, that seemed dishonourable to the king; as also some pictures; and, though these were not made by public order, yet a great noise was raised about them. But an accident happened, that the court laid great hold of. The Dutch fleet lay off the coast of England the former year; and one of the king's yachts sailed by, and expected they should strike sail. They said, they never refused it to any man of war; but they thought that honour did not belong to such an inconsiderable vessel. I was then at court, and I saw joy in the looks of those that were in the secret. Selden had, in his *Mare Clausum*, raised this matter so high, that he made it one of the chief rights and honours of the crown of England, as the acknowledgement of the king's empire in the four seas. The Dutch offered all satisfaction for the future in this matter; but they would not send their admiral over as a criminal. While France was treating with England, they continued to amuse the Dutch; and they possessed De Groot, then the Dutch ambassador at Paris, or they corrupted him, into a belief that they had no design on them; and the Dutch were too secure, and depended too much on his advertisements. Yet the States entered into a negotiation, both with Spain and the emperor, and with the king of Denmark, the elector of Brandenburg, and the duke of Lunenburg. The king of Sweden was yet under age; and the ministry there desired a neutrality. France and England sent two ambassadors to them, both men of great probity, Pomponne and Mr. Henry Coventry, who were both recalled at the same time to be secretaries of state. Coventry was a man of wit and heat, of spirit and candour. He never gave bad advices; but when the king followed the ill advices that others gave, he thought himself bound to excuse, if not to justify them. For this the duke of York commended him much to me. He said, in that he was a pattern to all good subjects, since he defended all the king's counsels in public, even when he had blamed them most in private, with the king himself.

Our court having resolved on a war, did now look out for money to carry it on. The king had been running into a great debt ever since his restoration. One branch of it was for the pay of that fleet that brought him over. The main of it had been contracted during the former Dutch war. The king, in order to the keeping his credit, had dealt with some bankers, and had assigned over the revenue to them. They drove a great trade, and had made great advantage by it. The king paid them at the rate of eight per cent., and they paid those who put money in their hands only six per cent., and had great credit; for payments were made very punctually. The king had in some proclamations given his faith that he would continue to make good all his assignments, till the whole debt should be paid, which was now growing up to almost a million and a half. So one of the ways proposed for supplying the king with money was, that he should stop these payments for a year; it being thought certain, that by the end of the year the king would be out of all his necessities, by the hopes they had of success in the war. The earl of Shaftesbury was the chief man in this advice. He excused it to me, telling me what advantage the bankers had made, and how just it was for the king to bring them to an account, for their usury and extortions; and added, that he never meant the stop should run beyond the year. He certainly knew of it beforehand, and took all his own money out of the bankers' hands, and warned some of his friends to do the like. Lord Lauderdale did about this time marry lady Dysart, upon his own lady's death; and she wrote me a long account of the shutting up of the Exchequer, as both just and necessary. The bankers were broke: and great multitudes, who had trusted their money in their hands, were ruined by this dishonourable and perfidious

action. But this gave the king only his own revenue again. So other ways were to be found for an increase of treasure\*.

By the peace of Breda it was provided, that, in order to the security of trade, no merchants' ships should be for the future fallen on, till six months after a declaration of war. The Dutch had a rich fleet coming from Smyrna, and other parts in the Mediterranean, under the convoy of a few men of war. Our court had advice of this; and Holmes was ordered to lie in wait for them, and to take them, near the Isle of Wight, with eight men of war. As he was sailing thither he met Spragge, who was returning from the Straits with a squadron of our ships, and told him that he had sailed along with the Dutch most of the way, and that they would pass within a day or two. Holmes thought he was much too strong for them, so did not acquaint Spragge with his design; for if he had stopped him to assist in the execution, probably the whole fleet had been taken, which was reckoned worth a million and a half. When they came up, Holmes fell upon them; but their convoy did their part so well, that not only the whole fleet sailed away, while they kept him in play, but they themselves got off at last favoured by a mist: and there were only a few ships taken, of so small a value, that they were not worth the powder that was spent in the action. This was a breach of faith, such as even Mahometans and pirates would have been ashamed of. The unsuccessfulness of it made it appear as ridiculous as it was base. Holmes was pressed to put it on the Dutch refusing to strike sail; yet that was so false, and there were so many witnesses to it, that he had not the impudence to affirm it†.

To crown all, a declaration was ordered to be set out, suspending the execution of all

\* The earl of Dartmouth has declared, that Shaftesbury told this event as probable to sir Charles Duncombe, who had a large sum of his own, and another belonging to the marquis of Winchester, in the hands of bankers; from whom he withdrew them before the stoppage. This was the cause of the duke of Bolton espousing his cause so strenuously, when he was impeached, in the reign of king William: a support that succeeded in rescuing him by one vote.—(Oxford ed. of this work.) Echard, quoting a MS. work of sir John Tyley's, says, that the king, distressed by the want of money, promised the lord-treasurership to any one of his ministers who could devise means to raise 1,500,000*l.*, without applying to parliament. The next day, the earl of Shaftesbury, then lord Ashley, told sir Thomas Clifford there was a way to do this; but it was dangerous, and might by its consequences inflame both parliament and people. Wine makes us babblers; and by its due administration, sir Thomas obtained the embryo project from his friend, and went immediately to Whitehall, to claim the post of treasurer. The king renewed his promise, and, approving the project, fulfilled it.—Echard's Hist. iii. 288. That such a bungling, dishonest project required any great genius to conceive it, is not probable; and the story is rendered still more improbable by the fact, that lord Ashley, when he handed to him the treasurer's staff, passed on sir Thomas a eulogy that he would hardly have uttered in praise of a treacherous friend. Whoever was its first suggester, the project was proposed in council on the 2nd of January, 1672,—Life of sir W. Temple, p. 189,—and in four days after, the exchequer was closed. The natural consequences followed. The whole nation was panic-struck; the bankers stopped payment; few merchants were able to meet the bills they had accepted; trade was paralysed; and the very ships could not be cleared at the custom-house, for want of money. A proclamation was issued, stating that it was urgent necessity that had rendered the measure necessary; and promising the payment of six per cent. to the bankers, whilst their money was thus detained. This could not satisfy the public alarm, so the king's creditors were called to a meeting at the treasury, and promised payment from the next parliamentary grant, or from the regular royal income. But parliament was not summoned till February, 1673, and the exchequer continued closed

for nearly a year and a half. Some persons who had deposited money with the bankers commenced actions against them; but by a still further illegal exercise of power, these actions were not allowed to proceed, by injunctions issued out of chancery! What were the judges about, that they heeded injunctions so totally contrary to law? Why did they not bring the measure at once to an issue?—and let Stuart tyranny, if it had dared, drag them from the bench for respecting the laws they were sworn to administer.

† Sir Robert Holmes had shewn himself qualified for this treachery, by his conduct in 1661, when, being also a time of peace, he seized Cape de Verde and other Dutch settlements on the coast of Guinea. When he approached the Dutch fleet, he made a show of amity, and invited on board their admiral; but he and his whole fleet were on their guard. The fight continued two whole days. The ministry, which from the initial letters of the five most influential members, Clifford, Arlington, Buckingham, Ashley, and Lauderdale, was called *the cabal*, were ashamed of this abortive injustice; for want of success deprived it even of the glitter that deludes the ignorant. In the *Gazette* it was represented as a mere rencontre, consequent to the Dutch refusing to strike their topsails; but the same document inadvertently admitted they were lowered. The declaration of war, which probably had been delayed in the hope that this booty, worth one million and a half sterling, might have been secured, was now issued. This was on the 17th of March, 1672. The conviction that right is on a nation's side, is as great a support to its efforts, as it is to an individual similarly combating; therefore declarations of war usually contain in their preambles the reasons that urge England inevitably to this step. In this instance they were partly false, and partly ridiculous; and concluded with the palpable and known falsehood, that England, notwithstanding this war, intended "to maintain the true intent and scope" of the peace made at Aix-la-Chapelle. The manifesto of France was equally contemptible, and urged the disrespect shewn to its monarch as a cause for commencing the war. Yet the only offences that his ministers could instance were, that there was insulting language in the *Dutch Gazette*, and that the king having taken the sun as his device, Van Benninghen, one of the negotiators of the



penal laws, both against papists and nonconformists. Papists were no more to be prosecuted for their way of worship in their own houses; and the nonconformists were allowed to have open meeting-houses, for which they were to take out licences: and none were to disturb those who should meet for worship, by virtue of those licences. Lord-keeper Bridgman had lost all credit at court, so they were seeking an occasion to be rid of him, who had indeed lost all the reputation he had formerly acquired, by his being advanced to a post of which he was not capable. He refused to put the seal to the declaration, as judging it contrary to law. So he was dismissed, and the earl of Shaftesbury was made lord chancellor. Lord Clifford was made lord treasurer, lord Arlington and lord Lauderdale had both of them the garter, and as Arlington was made an earl, Lauderdale was made a duke: and this junto, together with the duke of Buckingham, being called *the cabal*, it was observed, that cabal proved a technical word, every letter in it being the first letter of those five, Clifford, Ashley, Buckingham, Arlington, and Lauderdale. They had all of them great presents from France, besides what was openly given them; for the French ambassador gave them all a picture of the king of France, set in diamonds, to the value of 3000*l*. Thus was the nation and our religion, as well as the king's faith and honour, set to sale and sold. Lord Shaftesbury resolved to recommend himself to the confidence of the court by a new strain, never before thought of. He said the writs for choosing the members of the house of commons might be issued out in the intervals of a session: and the elections made upon them were to be returned into chancery and settled there. So the writs were issued out; but whether any elections were made upon them, and returned, I cannot tell. I know the house of commons intended to have impeached him for this among other things; but he had the foresight and skill to prevent it\*. When the declaration for toleration was published, great endeavours were used, by the court, to persuade the nonconformists to make addresses and compliments upon it. But few were so blind as not to see what was aimed at by it.

The duke was now known to be a papist; and the duchess was much suspected. Yet the presbyterians came in a body; and Dr. Manton, in their name, thanked the king for it, which offended many of their best friends†. There was also an order to pay a yearly pension of fifty pounds to most of them, and of an hundred pounds a year to the chief of the party. Baxter sent back his pension, and would not touch it; but most of them took it. All this I say upon Dr. Stillingfleet's word, who assured me he knew the truth of it; and in particular he told me, that Pool, who wrote the "Synopsis of the Critics," confessed to him

peace of Aix-la-Chapelle, had struck a medal, on which he compared himself to Joshua, who stayed the sun in his course. This medal, be it remarked, the Dutch government had suppressed.

\* That there were members returned upon the writs so issued appears from the following statement:—"The new speaker was scarcely in the chair before a member, standing up and looking about him, said, 'he observed several new faces in the house, and did not remember that, before their last rising, the house had been moved for the filling so many places; so he doubted the regularity of the sitting of those people, and moved their titles might be examined.' Another member, seconding the motion, said, 'he supposed those gentlemen would have the modesty to withdraw, while their case was under debate, and not wait for the order of the house.' So this whole set of new elects, though mostly loyalists, filed out, and came in no more upon that choice."—North's Examen, 56. It was not determined against the validity of these elections until after some angry debate, in which the attorney-general, Finch, argued strongly in their favour.—Gray's Debates, ii. 2.

† Dr. Thomas Manton was born in 1620, and died in 1677. He was an example of the pains taken by Charles the Second to strengthen his interests with all sects; and the doctor, if he was the good man represented by Dr. Bates, in his funeral sermon, is at the same time an instance of admirable moderation. He was chaplain to Oliver Cromwell, "and when Richard was inaugurated to

the protectorate, Manton, the peculiar chaplain to that dignity, as prelate to the protectorship, said prayers and blessed him, his armies, his council, and people." In 1660, he took orders of the bishop of Galloway; and soon after, by a mandate from the king, was made a doctor of divinity, and was not averse to promotion to a deanery. But he refused it, and was one of the ejected nonconformists in 1662. Manton was "round, plump and jolly." Such men are usually averse to active disputes, and obstinacy is rarely an ingredient of their dispositions. He was one of the commissioners at the Savoy conference; and lord Clarendon told Baxter, that he should not have despaired of bringing that conference to a happy conclusion, if he had been as fat as Manton. Shakspeare had made a similar observation upon human nature, for he makes Cæsar say,

"Let me have men about me that are fat;  
Sleek-headed men, and such as sleep o' nights."

Archbishop Usher called him "a voluminous preacher," and his sermons seem to have been as heavy as they were long, for Bolingbroke, writing to Swift, promised "my next shall be as long as one of Dr. Manton's discourses, who taught my youth to yawn, and prepared me to be a high churchman, that I might never hear him read, nor read him more." His works have been published in five folio volumes; one of which contains 190 sermons on the 119th Psalm.—Wood's Athenæ Oxon.; Manton's Life by Dr. Harris. Calamy, &c

that he had had fifty pounds for two years\*. Thus the court hired them to be silent; and the greatest part of them were so, and very compliant. But now the pulpits were full of a new strain. Popery was every where preached against, and the authority of the laws was much magnified. The bishops, the bishop of London (Dr. Humphry Henchman) in particular, charged the clergy to preach against popery, and to inform the people of the controversy between us and the church of Rome. This alarmed the court, as well as the city and the whole nation. Clifford began to show the heat of his temper, and seemed a sort of enthusiast for popery. The king complained to Sheldon of this preaching on controversy, as done on purpose to inflame the people, and to alienate them from him and his government. Upon this Sheldon called some of the clergy together, to consider what answer he should make the king, if he pressed him any further on that head. Tillotson was one of these, and he suggested this answer: that since the king himself professed the protestant religion, it would be a thing without a precedent, that he should forbid his clergy to preach in defence of a religion which they believed, while he himself said he was of it. But the king never renewed the motion.

While things were in this fermentation, the duchess of York died. It was observed, that for fifteen months before that time she had not received the sacrament; and that, upon all occasions, she was excusing the errors that the church of Rome was charged with, and was giving them the best colours they were capable of. An unmarried clergy was also a common topic with her. Morley had been her father confessor; for he told me she practised secret confession to him from the time that she was twelve years old; and when he was sent away from the court, he put her in the hands of Blandford, who died bishop of Worcester. Morley also told me, that upon the reports that were brought him of her slackness in receiving the sacrament, she having been for many years punctual to once a month, he had spoken plainly to her about it, and told her what inferences were made upon it. She pretended ill health and business; but protested to him, she had no scruples with relation to her religion, and was still of the church of England; and assured him, that no popish priest had ever taken the confidence to speak to her of those matters. He took a solemn engagement of her, that if scruples should arise in her mind, she would let him know them, and hear what he should offer to her upon all of them. And he protested to me that, to her death, she never owned to him that she had any scruples, though she was for some days entertained by him at Farnham, after the date of the paper which was afterwards published in her name. All this passed between the bishop and me, upon the duke's showing me that paper, all written in her own hand, which was afterwards published by Maimburg. He would not let me take a copy of it; but he gave me leave to read it twice. And I went immediately to Morley, and gave him an account of it; from whom I had all the particulars already mentioned. And upon that he concluded that that unhappy princess had been prevailed on to give false words under her hand, and to pretend that these were the grounds of her conversion. A long decay of health came at last to a quicker crisis than had been apprehended. All of a sudden she fell into the agony of death. Blandford was sent for to prepare her for it, and to offer her the sacrament. Before he could come, the queen came in and sat by her. He was modest and humble, even to a fault; so he had not presence of mind enough to begin prayers, which probably would have driven the queen out of the room. But that not being done she, pretending kindness, would not leave her. The bishop spoke but little and fearfully. He happened to say, he hoped she continued still in the truth. Upon which she asked, "What is truth?" and then, her agony increasing, she repeated the word "Truth, Truth," often: and, in a few minutes after, she died, very little beloved or lamented. Her haughtiness had raised her many enemies. She was indeed a firm and a kind friend; but the change of her religion made her friends reckon her death rather a blessing than a loss, at that time, to them all. Her father, when he heard of her shaking in her religion, was more troubled at it than at all his own misfortunes. He wrote

\* The truly valuable work here mentioned, "Synopsis Criticorum," was written by Matthew Pool during the leisure afforded by his ejection for non-conformity. He was one of the most erudite, charitable, and devout men

of his age. Oates implicated him in the Popish Plot, and consequently he retired to Amsterdam, where he died, aged fifty-five, in 1672.—Ant. Wood's Fasti Oxon.; Gen. Biog. Dict., &c.

her a very grave and long letter upon it, enclosed in one to the duke \*. But she was dead before it came into England.

I have set down all that I know concerning the fatal alliance with France, and our preparations for the second Dutch war. But that I may open the scene more distinctly, I will give as particular an account as I was able to gather of the affairs of the states of Holland at this time. And, because this was the fifth great crisis under which the whole Protestant religion was brought, I will lead my reader through a full account of them all ; since I may probably lay things before him that he may otherwise pass over, without making due reflections on them.

The first crisis was, when Charles V., by the defeating the duke of Saxony, and the getting him and the landgrave of Hesse into his hands, had subdued the Smalcaldic league † : in which the strength of the protestant religion did then consist, having been weakened by the succeeding deaths of Henry VIII. and Francis I. Upon that defeat all submitted to the emperor ; only the town of Magdeburgh stood out. The emperor should either not have trusted Maurice, or have used him better : and it seems that he reckoned Maurice had neither religion nor honour, since his ambition had made him betray his religion and abandon his party. When Maurice had got the electorate, he made himself sure of the army, and entered into an alliance with France and other princes of the empire ; and made so quick a turn on the emperor, that he had almost surprised him at Innspruck, and of a sudden overturned all that design upon which the emperor had been labouring for many years. This ended in the edict of Passau, which settled the peace of Germany for that time.

The second crisis was towards the end of queen Mary's reign, when the protestant religion seemed extinguished in England ; and the two cardinals of Lorrain and Granvell, then the chief ministers of the two crowns, designed a peace for that very end, that their masters might be at leisure to extirpate heresy, which was then spreading in both their dominions. But after they had formed their scheme queen Mary died, and was succeeded by queen Elizabeth in England. Soon after that the king of France was accidentally killed ; so that kingdom fell under a long continuance of a minority and a civil war. And the Netherlands felt from thence, and from England, such encouragement, that they made the longest and bravest resistance that is to be found in all history ; which was in a great measure owing to the obstinate and implacable cruelty of Philip II., and his great distance from the scene of the war ; and was past all possibility of being made up, by reason of his perfidious breach of all agreements, and his using those that served him well in so base a manner, as he did both the duke of Alva and the prince of Parma.

The third crisis lasted from 1585 to the year 1589. Then began the league of France. The prince of Parma was victorious in the Netherlands. The prince of Orange was murdered. The States fell under great distractions. And Spain entered into a design of de-throning the queen of England, and putting the queen of Scots in her stead. In order to that, they were for some years preparing the greatest fleet that the world had ever seen, which came to be called the *Invincible Armada*. All Europe was amazed at these great preparations, and many conjectures were made concerning the design of such a vast fleet. Some thought of Constantinople, others talked of Egypt, in conjunction with the emperor of the Abissynes ; but that which was most probable was, that king Philip intended to make a great effort, and put an end to the war of the Netherlands in one campaign. At last the true intent of it was found out. Walsingham's chief spies were priests ; as he used always to say, an active but vicious priest was the best spy in the world. By one of these he had advice, that the king of Spain had fixed on a resolution with relation to his fleet ; but that it was not yet communicated to any of his ministers in foreign courts. The king himself

\* These letters, with the reasons assigned by the duchess for her conversion, are to be found in Melmoth's collection of "Elegant Epistles." As compositions, they are all good ; but Clarendon's is especially noticeable for the prophetic warnings they contain of the ruin that would be incurred by the Stuarts if they separated from their protestant subjects. Laurence Hyde, earl of Rochester, in an unfinished paper, dwells at length upon

the reasons for his sister becoming a papist ; and thanks God, "that he did take her away before she had openly declared this sad alteration."—Singer's Clarendon Correspondence, i. 647.

† This was entered into in the year 1530, by the elector of Saxony and other German princes, for the defence of the protestant religion against the attacks of the emperor of Germany.—See Mosheim's Eccles. Hist. cent. xvi. cap. 3.



had indeed written a letter about it to the pope ; but it was not entered in any office ; so this was all that the intelligence from Madrid could discover. Upon this, one was sent to Venice, from whence the correspondence with Rome was held. And at Rome it was found out, that one of the pope's chief confidants had a mistress, to whom twenty thousand crowns were given, for a sight and copy of that letter. The copy of it was sent over soon after Christmas, in the winter of 1586. By it the king of Spain had acquainted the pope, that the design of his fleet was to land in England, to destroy queen Elizabeth and heresy, and to set the queen of Scots on the throne. In this he had the concurrence of the house of Guise ; and he also depended on the king of Scotland. This proved fatal to the queen of Scots. It is true, king James sent one Steward, the ancestor of the lord Blantyre, who was then of his bedchamber, with an earnest and threatening message to queen Elizabeth, for the purpose of saving his mother. But in one of the intercepted letters of the French ambassador's then in Scotland, found among Walsingham's papers, it appears, that the king, young as he was then, was either very double or very inconstant in his resolutions. The French ambassador assured him, that Steward had advised the queen to put a speedy end to that business, which way she pleased ; and that, as for his master's anger, he would soon be pacified, if she would but send him dogs and deer. The king was so offended at this, that he said he would hang him up in his boots as soon as he came back. Yet when he came back, it was so far from that, that he lay all that night in the bedchamber. As for the pompous embassy that was sent from France to protest against it, Maurier has told a very probable story of Henry the Third writing a letter with them to the queen ; advising her to proceed with all haste to do that which the embassy was sent to prevent. He saw the house of Guise built a great part of their hopes on the prospect of their cousin's coming to the crown of England, which would cut off all the hopes the house of Bourbon had of assistance from thence. I have seen an original letter of the earl of Leicester's to the earl of Bedford, who had married his sister, and was then governor of Berwick, telling him that, how high soever the French ambassadors had talked in their harangues upon that occasion, calling any proceeding against the queen of Scots an open indignity, as well as an act of hostility against France, since she was queen dowager of France ; yet all this was only matter of form and decency that was extorted from the king of France, and, how high soever they might talk, they were well assured he would do nothing upon it. So that unfortunate queen fell at that time, by reason of the Spanish preparations to conquer England, under the pretence of setting her on the throne. She died, much more decently than she had lived, in February, 1587.

But the court of England saw, that if king Philip's fleet was in a condition to conquer England, he would not abandon the design for her being put out of the way, and that he certainly intended to conquer it for himself, and not for another. So orders were given to make all possible haste with a fleet : yet they were so little provided for such an invasion, that, though they had then twenty good ships upon the stocks, it was not possible to get them in a condition to serve that summer : and the design of Spain was to sail over in 1587. So, unless by corruption, or any other method, the attempt could be put off for that year, there was no strength ready to resist so powerful a fleet ; but when it seemed not possible to divert the present execution of so great a design, a merchant of London to their surprise undertook it. He was well acquainted with the state of the revenue of Spain, with all their charge, and all that they could raise. He knew all their funds were so swallowed up, that it was impossible for them to victual and set out their fleet, but by their credit in the bank of Genoa. So he undertook to write to all the places of trade, and to get such drafts made on that bank, that he should by that means have it so entirely in his hands, that there should be no money current there, equal to the great occasion of victualling the fleet of Spain. He reckoned the keeping such a treasure dead in his hands, till the season of victualling was over, would be a loss of 40,000*l.* ; and at that rate he would save England. He managed the matter with such secrecy and success, that the fleet could not be set out that year. At so small a price, and with so skilful a management, was the nation saved at that time. This, it seems, was thought too great a mystery of state to be communicated to Camden, or to be published by him, when the instructions were put in his hands for writing the history of that glorious reign. But the famous Boyle, earl of Cork, who had then a great

share in the affairs of Ireland, came to know it; and told it to two of his children, from whom I had it. The story is so coherent, and agrees so well with the state of affairs at that time, that it seems highly credible. And, if it is true, it is certainly one of the most curious passages in our whole English history \*. I return from this digression, which I hope will be no unacceptable entertainment to the reader: it is well known how the design of the Armada miscarried: and soon after that the duke of Guise was stabbed; not long after Henry the Third was also stabbed: and Henry the Fourth succeeded, who broke the league, with which the great designs of Spain fell to the ground. So happily did this third crisis pass over.

The fourth crisis was from the battle of Prague to the year 1630, in which, as was told in the first book, not only the elector-palatine fell, but almost all the empire came under the Austrian yoke. All attempts to shake it off proved unsuccessful, and fatal to those who undertook it, till the young and great king of Sweden, Gustavus Adolphus, engaged in it. The wars of Rochelle, together with the loss of that important place, seemed to threaten the destruction of the protestants of France. England fell under those unhappy jealousies, which began a disjoining between the king and his people. And the States were much pressed by the Spaniards under Spinola. Breda was taken; but the worst of all was, a quarrel that was raised between prince Maurice and Barnevelt, that will require a fuller discussion than was offered in the former book. All agree that William, prince of Orange, was one of the greatest men in story, who, after many attempts for the recovery of the liberty of the provinces, was in conclusion successful, and formed that republic. In the doing of it he was guilty of one great error, unless he was forced to it by the necessity of his affairs, which was the settling a negative in every one of the towns of Holland, in the matters of religion, of taxes, and of peace and war. It had been much safer, if it had been determined, that the two-thirds must concur, by which the government would have been much stronger. Some thought that he brought in so many little towns to balance the greater, of whom he could not be sure; whereas he could more easily manage these smaller ones. Others have said, that he was forced to it, to draw them to a more hearty concurrence in the war, since they were to have such a share in the government for the future. But, as he settled it, the corruption of any one small town may put all the affairs of Holland in great disorder. He was also blamed, because he laboured to raise the power of the stadtholder so high, that in many regards it was greater than the power of the counts of Holland had been: but this was balanced by its being made elective, and by the small appointments he took to himself. It seems he designed to have settled that honour in his family; for, after his death, there were several letters found among his papers from the duke of Anjou, when the provinces invited him to be their prince, by which the duke engaged himself to leave Holland and Zealand in the prince's hands. Before he died, he had in a great measure lost the affections of the clergy; because he was very earnest for the toleration of papists, judging that necessary for the engaging men of all persuasions, in the common concerns of liberty, and for encouraging the other provinces to come into the union. This was much opposed by the preachers in Holland, who were for more violent methods. Those, who but a few years before had complained of the cruelty of the church of Rome, were no sooner delivered from that, than they began to call for the same ways of prosecuting those who were of the other side. This made that great prince lose ground with the zealots of his own side before he died. With him all their affairs sank so fast, that they saw the necessity of seeking protection elsewhere. Their ministers did of themselves, without the concurrence of the States, send to queen Elizabeth, to desire her to take them under her protection, on such terms as she should prescribe. And, though the States were highly offended at this, yet they durst not at that time complain of it, much less punish it: but were forced by the clamour of

\* Neither Watson in his "History of Philip the Second," nor Turner in his still more precise narrative of the reign of Elizabeth, alludes to this circumstance. There scarcely seems any other cause necessary to be assigned for the Armada not sailing in the year 1587, than the fact that Sir F. Drake, in the spring of that year, destroyed nearly one hundred vessels loaded with stores and provisions for

the fatuously-named "invincible" fleet; and, subsequently, in the same year, captured two galleons and a carrack returning with a freight of treasure from the east. "No doubt but this," said our gallant seaman in his despatch, "which Heaven has permitted us to do, will cause them to make great alteration of their intents."—*Strype's Lett.* 664; *Camden*, 352.

their people to follow an example, that was so irregularly set them. This I had from Halwyn of Dort, of whom I shall have occasion to write afterwards. When the queen sent over the earl of Leicester, with a new title, and an authority greater than was either in the counts of Holland, or in the stadtholder, by the name of supreme governor; he, as soon as he landed at Flushing, went first to church, where he ordered prayers to be offered up for a blessing on his counsels, and desired that he might receive the sacrament next day; and there he made solemn protestations of his integrity and zeal. This pleased the people so much, that Barnevelt, and the States at the Hague, thought it necessary to secure themselves from the effects of such a threatening popularity: so they sent for the count, afterwards prince Maurice, who was then at Leyden, not yet eighteen, and chose him stadtholder of Holland and Zealand. There had been no provision made against that, in their treaty with the earl of Leicester. Yet he was highly offended at it. I will go no farther into the errors of his government, and the end that the queen put to it; which she did, as soon as it appeared that he was incapable of it, and was beginning to betray, and to sell their best places.

Prince Maurice and Barnevelt continued long in a perfect conjunction of counsels; till upon the negotiation for a peace, or at least for a truce, they differed so much, that their friendship ended in a most violent hatred, and a jealousy that could never be made up. Prince Maurice was for carrying on the war, which set him at the head of a great army: and he had so great an interest in the conquests they made, that for that very reason Barnevelt infused it into the States, that they were now safe, and needed not fear the Spaniards any more; so there was no reason for continuing the war. Prince Maurice on the other hand said, their persecuted brethren in the popish provinces wanted their help to set them at liberty. The work seemed very easy, and the prospect of success was great. In opposition to this, it was said, since the seven provinces were now safe, why should they extend their territories? Those who loved their religion and liberty in the other provinces might come and live among them: this would increase both their numbers, and their wealth. whereas the conquest of Antwerp might prove fatal to them; besides, that both France and England interposed: they would not allow them to conquer more, nor become more formidable. All the zealous preachers were for continuing the war; and those that were for peace were branded as men of no religion, who had only carnal and political views. While this was in debate everywhere, the disputes began between Arminius and Gomarus, two famous professors at Leyden, concerning the decrees of God, and the efficacy of grace; in which those two great men, Maurice and Barnevelt, went upon interest, to lead the two parties, from which they both differed in opinion. Prince Maurice in private always talked on the side of the Arminians; and Barnevelt believed predestination firmly; but, as he left reprobation out in his scheme, so he was against the unreasonable severity with which the ministers drove those points. He found the Arminians were the better patriots; and he thought the other side, out of their zeal, were engaged for carrying on the war, so as that they called all the others indifferent as to all religions, and charged them as favourers of Spain and popery. I will go no farther into the differences that followed, concerning the authority of the States-general over the several provinces. It is certain that every province is a separate State, and has an entire sovereignty within itself: and that the States-general are an assembly of the deputies of the several provinces, but without any authority over them. Yet it was pretended, that extraordinary diseases required extraordinary remedies: and prince Maurice, by the assistance of a party that the ministers made for him among the people, engaged the States to assume an authority over the province of Holland, and to put the government in new hands. A court was erected by the same authority, to judge those who had been formerly in the magistracy. Barnevelt was accused, together with Grotius, and some others, as fomentors of sedition, and for raising distractions in the country. He was condemned, and beheaded. Others were condemned to perpetual imprisonment. And every one of the judges had a great gold medal given them, in the reverse of which the Synod of Dort was represented, which was called by the same authority. I saw one of those medals in the possession of the posterity of one of those judges. King James assisted prince Maurice in all this: so powerfully do the interests of princes carry them to concur



in things that are most contrary to their own inclinations. The prevailing passion of that king was his hatred of the puritans: that made him hate these opinions into which they went with great heat: and, though he encouraged all that were of the Arminian party in his own dominions, yet he helped to crush them in Holland: he hated Barnevelt upon another score, for his getting the cautionary towns out of his hands; and, according to the nature of impotent passions, this carried him to procure his ruin. After this victory that prince Maurice had got over the party that opposed him, he did not study to carry it much farther. He found quickly how much he had lost the hearts of the people, who had before that time made him their idol, and now looked on him with horror. He studied to make up matters the best he could, that he might engage the States in the Bohemian war: but all that was soon at an end. It was plain that he had no design upon their liberty; though he could not bear the opposition that he began to meet with from a free state.

His death put an end to all jealousies; and his brother, prince Henry Frederick, quickly settled the disputes of Arminianism by the toleration that was granted them. He was known to be a secret favourer of their tenets; he conducted the armies of the States with so much success, and left them so much at liberty as to all their state affairs, that all the jealousies which his brother's conduct had raised, were quite extinguished by him. The States made him great presents. He became very rich; and his son had the survivance of the stadtholdership; but his son had more of his uncle's fire in him, than of his father's temper. He opposed the peace of Munster all he could. The States came then to see that they had continued too long in their alliance with France against Spain, since France had got the ascendant by too visible a superiority: so that their interest led them now to support Spain against France. Prince William fell to be in ill terms with his mother. And she, who had great credit with the States, set up such an open opposition to her son, that the peace of Munster was in a great measure the effect of their private quarrel. Prince William, being married into the royal family of England, did all he could to embroil the States with the new commonwealth; but he met with such opposition, that he, finding the States were resolved to dismiss a great part of their army, suffered himself to be carried to violent counsels. I need not enlarge on things that are so well known, as his sending some of the States prisoners to Lovestein, and his design to change the government of Amsterdam, which was discovered by the post-boy, who gave the alarm a few hours before the prince could get thither. These things, and the effects that followed on them, are well known; as is also his death, which followed a few weeks after, in the most unhappy time possible for the princess royal's pregnancy: for, as she bore her son a week after his death, in the eighth month of her time, so he came into the world under great disadvantages. The States were possessed with great jealousies of the family, as if the aspiring to subdue the liberties of their country was inherent in it, and inseparable from it. His private affairs were also in a very bad condition: two great jointures went out of his estate, to his mother, and grandmother, besides a vast debt that his father had contracted to assist the king. Who could have thought that an infant, brought into the world with so much ill health, and under so many ill circumstances, was born for the preservation of Europe, and of the protestant religion? So unlike do the events of things prove to their first appearances. And, since I am writing of his birth, I will set down a story, much to the credit of astrology, how little regard soever I myself have to it. I had it from the late queen's own mouth; and she directed me to some who were of the prince's court in that time, who confirmed it to me. An unknown person put a paper into the old princess's hands, which she took from him, thinking it was a petition. When she looked into it, she found it was her son's nativity, together with the fortunes of his life, and a full deduction of many accidents, which followed very punctually, as they were predicted. But that which was most particular was, that he was to have a son by a widow, and was to die of the small-pox in the twenty-fifth year of his age. So those who were apt to give credit to predictions of that sort fancied, that the princess royal was to die, and that he was upon that to marry the widow of some other person. It was a common piece of raillery in the court, upon the death of any prince, to ask what a person his widow was. But when he was taken ill of the small-pox, then the deciphering the matter was obvious, and it struck his fancy so much, that probably it had

an ill effect upon him. Thus was the young prince born, who was some years after barred by the perpetual edict from all hopes of arriving at the stadtholdership.

The chief error in De Wit's administration was, that he did not again raise the authority of the council of state; since it was very inconvenient to have both the legislature and the execution in the same hands. It seemed necessary to put the conduct of affairs in a body of men that should indeed be accountable to the States, but should be bred to business. By this means their counsels might be both quick and secret; whereas, when all is to be determined by the States, they can have no secrets; and they must adjourn often to consult their principals: so their proceedings must be slow. During De Wit's ministry, the council of state was so sunk, that it was considered only as one of the forms of the government: but the whole execution was brought to the States themselves. Certainly a great assembly is a very improper subject of the executive part of power. It is indeed very proper that such a body should be a check on those who have the executive power trusted to them. It is true De Wit found it so, which was occasioned by reason of the English ambassador's being once admitted to sit in that council. They pretended, indeed, that it was only on the account of the cautionary towns, which moved the States to give England a right to some share in their counsels. After these were restored, they did not think it decent to dispute the right of the ambassador's sitting any more there; but the easier way was, the making that council to signify nothing, and to bring all matters immediately to the States. It had been happy for De Wit himself, and his country, if he had made use of the credit he had, in the great turn upon prince William's death, to have brought things back to the state in which they had been anciently; since the established errors of a constitution and government can only be changed in a great revolution. He set up on a popular bottom; and so he was not only contented to suffer matters to go on in the channel in which he found them, but in many things he gave way to the raising the separated jurisdiction of the towns, and to the lessening the authority of the courts at the Hague. This raised his credit, but weakened the union of the provinces. The secret of all affairs, chiefly the foreign negotiations, lay in a few hands. Others, who were not taken into the confidence, threw all miscarriages on him, which was fatal to him. The reputation he had got in the war with England, and the happy conclusion of it, broke a party that was then formed against him. After that he dictated to the States; and all submitted to him. The concluding the triple alliance in so short a time, and against the forms of their government, showed how sure he was of a general concurrence with everything that he proposed. In the negotiations between the States, and France, and England, he fell into great errors. He still fancied that the king of England must see his own interest so visibly, in the exaltation of the prince of Orange, that he reckoned that the worst that could happen was, to raise him to the trust of stadtholder; since England could not gain so much by a conjunction with France, as by the king's having such an interest in their government, as he must certainly come to have, when his nephew should be their stadtholder. So he thought he had a sure reserve to gain England at any time over to them. But he had no apprehension of the king's being a papist, and his design to make himself absolute at home: and he was amazed to find, that, though the court of England had talked much of that matter of the prince of Orange, when the States were in no disposition to hearken to it, and so used it as a reproach or a ground of a quarrel, yet when it came more in view, they took no sort of notice of it, and seemed not only cold, but even displeased with it. The prince, as his natural reservedness saved him from committing many errors, so his gravity, and other virtues, recommended him much to the ministers, and to the body of the people. The family of De Wit, and the town of Amsterdam, carried still the remembrance of what was passed fresh in their thoughts. They set it also up for a maxim, that the making of a stadtholder was the giving up their liberty, and that the consequence of it would be, the putting the sovereignty of their country in him, or at least in his family. The long continuance of a ministry in one person, and that to so high a degree, must naturally raise envy, and beget discontent, especially in a popular government. This made many become De Wit's enemies, and by consequence the prince's friends. And the preachers employed all their zeal to raise the respect of the people for a family, under which they had been so long easy and happy.

When the prince was of full age, it was proposed in so many places that he should have the supreme command of their armies and fleets, that De Wit saw the tide was too strong to be resisted. So, after he had opposed it long, he proposed some limitations, that should be settled, previously to his advancement. The hardest of all was, that he should bind himself by oath never to pretend to be stadtholder, nor so much as to accept of it, though it should be offered him. These conditions were not of an easy digestion; yet, it was thought necessary that the prince should be once at the head of their armies; that would create a great dependence on him; and if God blessed him with success, it would not be possible to keep him so low, as these limitations laid him: and the obligation never to accept of the stadtholdership could only be meant of his not accepting the offer from any tumultuary bodies of the populace, or the army, but could not be a restraint on him, if the States should make the offer, since his oath was made to them, and by consequence it was in their power to release the obligation that did arise from it to themselves. The court of England blamed him for submitting to such conditions: but he had no reason to rely much on the advices of those who had taken so little care of him during all the credit they had with the States, while the triple alliance gave them a great interest in their affairs. As soon as he was brought into the command of the armies, he told me he spoke to De Wit, and desired to live in an entire confidence with him. His answer was cold; so he saw that he could not depend upon him. When he told me this, he added, that he was certainly one of the greatest men of the age, and he believed he served his country faithfully. De Wit reckoned that the French could not come to Holland but by the Maese; and he had taken great care of the garrison of Maestricht; but very little of those that lay on the Rhine and the Isel, where the States had many places, but none of them good. They were ill fortified, and ill supplied. But most of them were worse commanded, by men of no courage, nor practice in military affairs, who considered their governments as places, of which they were to make all the advantage that they could.

Now I come to give an account of the fifth crisis brought on the whole reformation, which has been of the longest continuance, since we are yet in the agitations of it. The design was first laid against the States. But the method of invading them was surprising, and not looked for. The elector of Cologne was all his life long a very weak man: yet it was not thought that he could have been prevailed on to put the French in possession of his country, and to deliver himself with all his dominions over into their hands. When he did that, all upon the Rhine were struck with such a consternation, that there was no spirit nor courage left. It is true they could not have made a great resistance; yet if they had but gained a little time, that had given the States some leisure to look round them, to see what was to be done.

The king of France came down to Utrecht like a land flood. This struck the Dutch with so just a terror, that nothing but great errors in his management could have kept them from delivering themselves entirely up to him. Never was more applause given with less reason than the king of France had upon this campaign. His success was owing rather to De Wit's errors than to his own conduct. There was so little heart or judgment shown in the management of that run of success, that, when that year is set out, as it may well be, it will appear to be one of the least glorious of his life; though, when seen in a false light, it appears one of the most glorious in history. The conquest of the Netherlands at that time might have been so easily compassed, that, if his understanding and his courage had not been equally defective, he could not have miscarried in it. When his army passed the Rhine, upon which so much eloquence and poetry have been bestowed, as if all had been animated by his presence and direction, he was viewing it at a very safe distance. When he came to Utrecht, he had neither the prince of Conde nor M. Turenne to advise with: and he was wholly left to his ministers. The prince of Conde was slightly wounded, as he passed the Rhine; and Turenne was sent against the elector of Brandenburg, who was coming down with his army, partly to save his own country of Cleve, but chiefly to assist his allies the Dutch. So the king had none about him to advise with but Pomponne and Louvoy, when the Dutch sent to him to know what he demanded. Pomponne's advice was wise and moderate, and would in conclusion have brought about all that he intended. He proposed,



that the king should restore all that belonged to the seven provinces, and require of them only the places that they had without them; chiefly Maestricht, Bois le Duc, Breda, and Bergen-op-zoom: thus the king would maintain an appearance of preserving the seven provinces entire, which the crown of France had always protected. To this certainly the Dutch would have yielded without any difficulty. By this he had the Spanish Netherlands entirely in his power, separated from Holland and the empire, and might have taken them whensoever he pleased. This would have an appearance of moderation, and would stop the motion that all Germany was now in; which could have no effect if the States did not pay and subsist the troops. Louvoy on the other hand proposed, that the king should make use of the consternation the Dutch were then in, and put them out of a condition of opposing him for the future. He therefore advised, that the king should demand of them, besides all that Pomponne moved, the paying a vast sum for the charge of that campaign; the giving the chief church in every town for the exercise of the popish religion; and that they should put themselves under the protection of France, and should send an ambassador every year with a medal acknowledging it, and should enter into no treaties, or alliances, but by the directions of France. The Dutch ambassadors were amazed when they saw that the demands rose to so extravagant a pitch. One of them swooned away when he heard them read: he could neither think of yielding to them, nor see how they could resist them. There was an article put in for form, that they should give the king of England full satisfaction. But all the other demands were made without any concert with England, though Lockhart was then following the court.

I say nothing of the sea-fight in Solbay, in which De Ruyter had the glory of surprising the English fleet, when they were thinking less of engaging the enemy, than of an extravagant preparation for the usual disorders of the twenty-ninth of May; which he prevented, engaging them on the twenty-eighth, in one of the most obstinate sea fights that has happened in our age, in which the French took more care of themselves than became gallant men, unless they had orders to look on, and leave the English and Dutch to fight it out, while they preserved the force of France entire. De Ruyter disabled the ship in which the duke was, whom some blamed for leaving his ship too soon. Then his personal courage began first to be called in question. The admiral of the blue squadron (earl of Sandwich) was burnt by a fire-ship, after a long engagement, with a Dutch ship much inferior to him in strength: in it the earl of Sandwich perished with a great many about him, who would not leave him, as he would not leave his ship, by a piece of obstinate courage, to which he was provoked by an indecent reflection the duke made, on an advice he had offered, of drawing nearer the shore, and avoiding an engagement, as if in that he took more care of himself than of the king's honour\*. The duke of Buckingham came aboard the fleet, though it was observed, that he made great haste away when he heard the Dutch fleet was in view. The duke told me, that

\* Edward Montague, earl of Sandwich, was only in his forty-seventh year, when he was thus lost to his country, and thus adding to the long catalogue of misfortunes brought upon it by the Stuarts. We may take his character from bishop Parker's "History of His Own Times," a work written by one not at all friendly to those who were disliked by the duke of York. "He was," says this prelate, "a gentleman adorned with all the virtues of Alcibiades, and untainted by any of his vices; of high birth, full of wisdom, a great commander at sea and land, and also learned and eloquent; affable, liberal, and magnificent." Of the battle in which he lost his life, little need be said. The duke of York anchored his fleet in Sol, or Southwold Bay, on the coast of Suffolk; and, on the 28th of May, the flag-officers and captains went on shore to the various towns in the neighbourhood to carouse. The wind was blowing from the north-east, and the earl of Sandwich warned the duke that on that account the fleet was liable to be surprised by the enemy, and it would be advisable to stand out to sea; but the duke, instead of benefitting by the wise suggestion, reflected upon it as being prompted by fear. It was a fatal mistake; the Dutch came, and were only by cutting their cables that the ships were

enabled to escape their fire-ships: all was confusion; boats were hurrying to and from the shore to fetch the too-negligent commanders; and if a calm had not fortunately prevented the rapid approach of the Dutch, these would have been left behind. The earl dreadfully shattered seven of the Dutch men-of-war, and beat off three of their fire-ships; but a fourth grappled his gallant vessel, "*the Royal James*," and succeeded in firing her unquenchably. Six hundred, of a crew one thousand strong, lay in frightful slaughter upon her decks, and the flames threatened a still more painful death to the remainder. The earl, seeing that all human efforts were vain, ordered his captain, sir Richard Haddock, and the other survivors, to save themselves the best way they could, and then retired to his cabin. Sir Richard followed him thither, and urged him to save his life in a boat that still waited for him; but the earl, raising his face from the handkerchief he held in his hand, firmly refused, saying, "I see how things go, and I am resolved to perish with the ship." His body was found, and interred with public honours by the special command of the king.—Memoirs of James the Second; Campbell's Lives of the Admirals, &c.

he said to him, since they might engage the enemy quickly, he intended to make sure of another world; so he desired to know who was the duke's priest, that he might reconcile himself to the church. The duke told him, Talbot would help him to a priest; and he brought one to him. They were for some time shut up together; and the priest said, he had reconciled him according to their form. The duke of Buckingham, who had no religion at heart, did this only to recommend himself to the duke's confidence.

It may be easily imagined, that all things were at this time in great disorder at the Hague. The French possessed themselves of Naerden: and a party had entered into Muyden, who had the keys of the gates brought to them: but they, seeing it was an inconsiderable place, not knowing the importance of it, by the command of the water that could drown all to Amsterdam, flung the keys into the ditch, and went back to Naerden. But when the consequence of the place was understood, another party was sent to secure it; but before their return two battalions were sent from the prince of Orange, who secured the place, and by that means preserved Amsterdam, where all were trembling, and thought of nothing but of treating and submission. The States were very near the extremities of despair. They had not only lost many places, but all their garrisons in them. Guelder, Overysael, and Utrecht, were quite lost: and the bishop of Munster was making a formidable impression on Groninghen, and at last besieged it. All these misfortunes came so thick, one after another, that no spirit was left. And to complete their ruin, a jealousy was spread through all Holland, that they were betrayed by those who were in the government; and that De Wit intended all should perish rather than the family of Orange should be set up. Mombaa, one of their generals, who married De Groot's sister, had basely abandoned his post, which was to defend the Rhine where the French passed it: and when he was put in arrest for that, he made his escape, and went to the French for sanctuary. Upon this the people complained loudly; and the States were so puzzled that their hearts quite failed them. When they were assembled, they looked on one another like men amazed; sometimes all in tears. Once the Spanish ambassador came, and demanded audience: and when he was brought in he told them, that out of the affection that he bore them, and the union of his master's interest with theirs, he came to blame their conduct: they looked sad: they never appeared in the Vorhaut in their coaches: and upon all occasions they looked like men despairing of their country. This quite disheartened their people; therefore he advised them to put on another countenance, to publish that they had good news, that their allies were in march, and to feed their people with probable stories, and so to keep up their spirits. They thought the advice was seasonable, and followed it.

They sent two ambassadors, Dycvelt and Halewyn, to join with Borel, who was still in England, to try if it was possible to divide England from France. And the morning in which they were despatched away they had secret powers given them to treat, concerning the prince of Orange's being their stadtholder; for lord Arlington had so often reproached Borel for their not doing it, that he in all his letters continued still to press that on them. When they came over they were for form's sake put under a guard. Yet Borel was suffered to come to them, and was transported with joy when they told him what powers they had in that affair of the prince; and immediately he went to lord Arlington, but came soon back like one amazed, when he found that no regard was had to that which he had hoped would have entirely gained the court. But he was a plain man, and had no great depth. The others were sent to Hampton Court, and were told that the king would not treat separately, but would send over ambassadors to treat at Utrecht. They met secretly with many in England, and informed themselves by them of the state of the nation. They gave money liberally, and gained some in the chief offices to give them intelligence. The court understanding that they were not idle, and that the nation was much inflamed, since all the offers that they made were rejected, commanded them to go back. The duke of Buckingham and lord Arlington were ordered to go to Utrecht. And, to give the nation some satisfaction, lord Halifax was sent over afterwards. But he was not in the secret. The Dutch, hearing that their ambassadors were coming over without making peace with England, ran together in great numbers to Maesland sluice, and resolved to cut them in pieces at their landing: for they heard they were at the Brill. But, as they were crossing the Maese, a little boat

met them, and told them of their danger, and advised them to land at another place, where coaches were staying to carry them to the Hague. So they missed the storm that broke out fatally at the Hague the next day, where men's minds were in great agitation.

De Wit was once at night going home from the States, when four persons set on him to murder him. He shewed on that occasion both an intrepid courage and a great presence of mind. He was wounded in several places; yet he got out of their hands. One of them was taken and condemned for it. All De Wit's friends pressed him to save his life; but he thought that such an attempt on a man in his post, was a crime not to be pardoned: though, as to his own part in the matter, he very freely forgave it. The young man confessed his crime and repented of it; and protested that he was led to it by no other consideration but that of zeal for his country and religion, which he thought were betrayed. And he died as in a rapture of devotion, which made great impression on the spectators. At the same time a barber accused De Wit's elder brother of a practice on him, in order to his murdering the prince. There were so many improbabilities in his story, which was supported by no circumstances, that it seemed no way credible. Yet Cornelius de Wit was put to the torture on it, but stood firm to his innocence. The sentence was accommodated rather to the state of affairs, than to the strict rules of justice. In the mean time, while his brother had resigned his charge of pensionary, and was made one of the judges of the high court, Cornelius De Wit was banished; which was intended rather as a sending him out of the way, than as a sentence against him. I love not to describe scenes of horror, as was that black and infamous one committed on the two brothers. I can add little to what has been so often printed. De Wit's going in his own coach to carry his brother out of town was a great error, and looked like a triumph over a sentence, which was unbecoming the character of a judge. Some furious agitators, who pretended zeal for the prince, gathered the rabble together. And by that vile action\* that followed they did him (the prince) more hurt than they were ever able to repair. His enemies have taken advantages from thence to cast the infamy of this on him and on his party, to make them all odious; though the prince spoke of it always to me with the greatest horror possible. The ministers in Holland did upon this occasion show a very particular violence. In their sermons, and in some printed treatises, they charged the judges with corruption, who had carried the sentence no farther than to banishment: and compared the fate of the De Wits to Haman's.

I need not relate the great change of the magistracy in all the provinces, the repealing the perpetual edict, and the advancing the prince of Orange to be stadtholder, after they had voided the obligation of the oath he had taken, about which he took some time to deliberate. Both lawyers and divines agreed that those to whom he had made that oath releasing the obligation of it, he was no longer bound by it. The States gave him, for that time, the full power of peace and war. All this was carried farther by the town of Amsterdam; for they sent a deputation to him, offering him the sovereignty of their town. When he was pleased to tell me this passage, he said, he knew the reason for which they made it was, because they thought all was lost: and they chose to have the infamy of their loss fall on him rather than on themselves. He added, that he was sure the country could not bear a sovereign; and that they would contribute more to the war, when it was in order to the preserving their own liberty, than for any prince whatsoever. So he told them that, without taking any time to consult on the answer to be made to so great an offer, he did immediately refuse it. He was fully satisfied with the power already lodged with him, and would never endeavour to carry it any farther.

\* Both the De Wits were assassinated. Sir William Temple describes the circumstances that led to this murder in words similar to those employed by Burnet, adding, "Monsieur De Wit, foreseeing how the tragedy would end, took his brother by the hand, and was at the same time knocked down with the butt-end of a musket. They were both presently laid dead upon the place, then dragged about the town by the people in their fury, and torn in pieces. Thus ended one of the greatest lives of our subject in our age, about the 47th of his own; after having served, or rather administered, that state as pen-

sioner of Holland for about eighteen years, with great honour to his country and himself." In another place, the same faithful writer speaks of him as "a minister of the greatest authority and sufficiency, the greatest application and industry, that was ever known in the Dutch state."—Temple's Works, i. 107—380. fol. c<sup>o</sup> Without one extravagant habit, he died without having amassed any wealth: this demonstrates his disinterested integrity—and his "Maxims of Government" are a record of his honour, moderation, and justice, as a statesman.



The prince's advancement gave a new life to the whole country. He, though then very young, and little acquainted with the affairs of state or war, did apply himself so to both, that, notwithstanding the desperate state in which he found matters, he neither lost heart nor committed errors. The duke of Buckingham and the lord Arlington tried to bring the king of France (Louis the Fourteenth) to offer them better terms, but in vain. That prince was so lifted up that he seemed to consider the king very little. While he was so high on the one hand, and the prince of Orange so steady on the other, the English ambassadors soon saw that all the offices they could do were ineffectual. One day the prince (who told me this himself) was arguing with them upon the king's conduct, as the most unaccountable thing possible, who was contributing so much to the exaltation of France, which must prove in conclusion fatal to himself; and was urging this in several particulars. The duke of Buckingham broke out in an oath, which was his usual style, and said he was in the right: and so offered to sign a peace immediately with the prince. Lord Arlington seemed amazed at his rashness. Yet he persisted in it, and said positively he would do it. The prince, upon that, not knowing what secret powers he might have, ordered the articles to be engrossed. And he believed, if he could possibly have got them ready while he was with him, that he would have signed them. They were ready by next morning; but by that time he had changed his mind. That duke at parting pressed him much to put himself wholly in the king's hands: and assured him he would take care of his affairs as of his own. The prince cut him short: he said his country had trusted him, and he would never deceive nor betray them for any base ends of his own. The duke answered, he was not to think any more of his country, for it was lost; if it should weather out the summer, by reason of the waters that had drowned a great part of it, the winter's frost would lay them open: and he repeated the words often, "Do not you see it is lost?" The prince's answer deserves to be remembered: he said, he saw it was indeed in great danger, but there was a sure way never to see it lost, and that was to die in the last ditch\*.

The person that the prince relied on chiefly, as to the affairs of Holland, was Fagel, a man very learned in the law, who had a quick apprehension and a clear and ready judgment. He had a copious eloquence, more popular than correct; and was fit to carry matters with a torrent in a numerous assembly. De Wit had made great use of him; for he joined with him very zealously in the carrying the perpetual edict, which he negotiated with the States of Freizland, who opposed it most; and he was made Greffier, or secretary to the States-general, which is the most beneficial place in Holland. He was a pious and virtuous man; only he was too eager and violent. He was too apt to flatter himself. He had much heart when matters went well; but had not the courage that became a great minister on uneasy and difficult occasions.

\* "The bait, which the French thought could not fail of being swallowed by the prince, and about which the utmost artifice was employed, was the proposal of making him sovereign of the provinces, under the protection of England and France. And to say truth, at a time when so little of the provinces was left, and what remained was under water, and in so imminent danger upon the first frosts of winter, this seemed a lure to which a meaner soul than that of this prince might very well stoop. But his was above it, and his answers always firm, that he never would betray a trust that was given him, nor ever sell the liberties of his country that his ancestors had so long defended. Yet the game he played was then thought so desperate, that one of his nearest servants told me he had long expostulated it with his master, and asked him at last, "How he intended to live after Holland was lost?" The prince replied, that he was resolved to live upon the lands he had left in Germany; and that he had rather pass his life in hunting there, than sell his country or his liberty to France at any price. I will say nothing of the embassy sent at this time by his majesty to the French king at Utrecht, where the three ambassadors, the duke of Buckingham, lord Arlington, and lord Halifax, found him in his highest exaltation; for I cannot pretend to

know what the true ends or subject of it was. The common belief in England and Holland made it to be our jealousy of the French conquests going too fast, whilst ours were so lame; and great hopes were raised in Holland that it was to stop their course or extent; but these were soon dashed by the return of the ambassadors, after having renewed and fastened the measures formerly taken between the two crowns. And the ambassadors were indeed content, as they passed through Holland, that the first should be thought; which gave occasion for a very good repartee of the princess dowager to the duke of Buckingham, who visited her as they passed through the Hague. He talking much of their being good Hollanders, she told him "that was more than they asked, which was only that they would be good Englishmen." He assured her they were not only so, but good Dutchmen too; that indeed they did not use Holland like a mistress, but they loved her like a wife. To which she replied, "Vraiment, je croy que vous nous aimez comme vous aimez la votre." ("Truly, I believe you love us as you love your own wife.") —Temple's Works, i. 382. fol. ed. These "Memoirs" of this truly honourable character are replete with information relative to the affairs of Holland about that period.

Prince Waldeck was their chief general, a man of a great compass and a true judgment : equally able in the cabinet and in the camp. But he was always unsuccessful, because he was never furnished according to the schemes that he had laid down. The opinion that armies had of him, as an unfortunate general, made him really so ; for soldiers cannot have much heart, when they have not an entire confidence in him that has the chief command.

Dyckvelt on his return from England, seeing the ruin of the De Wits, with whom he was formerly united, and the progress the French had made in Utrecht, where his estate and interest lay, despaired too soon, and went and lived under them. Yet he did great service to his province. Upon every violation of articles he went and demanded justice, and made protestations with a boldness, to which the French were so little accustomed that they were amazed at it. Upon the French leaving Utrecht, and on the re-establishing that province, he was left out of the government. Yet his great abilities, and the insinuating smoothness of his temper, procured him so many friends, that the prince was prevailed on to receive him into his confidence ; and he had a great share of it to the last, as he well deserved. He had a very perfect knowledge of all the affairs of Europe, and great practice in many embassies. He spoke too long, and with too much vehemence. He was in his private deportment a virtuous and religious man, and a zealous protestant. In the administration of his province, which was chiefly trusted to him, there were great complaints of partiality, and of a defective justice.

Halewyn, a man of great interest in the town of Dort, and one of the judges in the court of Holland, was the person of them all whom I knew best, and valued most, and was the next to Fagel in the prince's confidence. He had a great compass of learning, besides his own profession, in which he was very eminent. He had studied divinity with great exactness, and was well read in all history, but most particularly in the Greek and Roman authors. He was a man of great vivacity : he apprehended things soon, and judged very correctly. He spoke short, but with life. He had a courage and vigour in his counsels that became one who had formed himself upon the best models in the ancient authors. He was a man of severe morals. And as he had great credit in the court where he sat, so he took care that the partialities of friendship should not mix in the administration of justice. He had in him all the best notions of a great patriot, and a true Christian philosopher. He was brought in very early to the secret of affairs, and went into the business of the perpetual edict very zealously. Yet he quickly saw the error of bringing matters of state immediately into numerous assemblies. He considered the States maintaining in themselves the sovereign power as the basis upon which the liberty of their country was built. But he thought the administration of the government must be lodged in a council. He thought it a great misfortune that the prince was so young at his first exaltation ; and so possessed with military matters, to which the extremity of their affairs required that he should be entirely applied, that he did not then correct that error, which could only be done upon so extraordinary a conjuncture. He saw the great error of De Wit's ministry, of keeping the secret of affairs so much in his own hands. Such a precedent was very dangerous to public liberty, when it was in the power of one man to give up his country. Their people could not bear the lodging so great a trust with one, who had no distinction of birth or rank. Yet he saw it was necessary to have such an authority, as De Wit's merits and success had procured him, lodged somewhere. The factions and animosities, that were in almost all their towns, made it as necessary for their good government at home, as it was for the command of their armies abroad, to have this power trusted to a person of that eminence of birth and rank, that he might be above the envy that is always among equals, when any one of them is raised to a disproportioned degree of greatness above the rest. He observed some errors that were in the prince's conduct. But after all, he said, it was visible that he was always in the true interest of his country ; so that the keeping up a faction against him was likely to prove fatal to all Europe, as well as to themselves.

The greatest misfortune in the prince's affairs was, that the wisest and the most considerable men in their towns, that had been acquainted with the conduct of affairs formerly, were now under a cloud, and were either turned out of the magistracy, or thought it convenient to retire from business. And many hot, but poor, men, who had signalised their zeal

in the turn newly made, came to be called the prince's friends, and to be put everywhere into the magistracy. They quickly lost all credit, having little discretion and no authority. They were very partial in the government, and oppressive, chiefly of those of the other side. The prince saw this sooner than he could find a remedy for it. But by degrees the men of the other side came into his interest, and promised to serve him faithfully, in order to the driving out the French and the saving their country. The chief of those were Halewyn of Dort, Pata of Rotterdam, and Van Beuning of Amsterdam.

The last of these was so well known both in France and England, and had so great credit in his own town, that he deserves to be more particularly set out. He was a man of great notions. He had a wonderful vivacity, but too much levity in his thoughts. His temper was inconstant: firm and positive for a while, but apt to change, from a giddiness of mind rather than from any falsehood in his nature. He broke twice with the prince after he came into a confidence with him. He employed me to reconcile him to him for the third time; but the prince said he could not trust him any more. He had great knowledge in all sciences, and had such a copiousness of invention, with such a pleasantness, as well as a variety of conversation, that I have often compared him to the duke of Buckingham; only he was virtuous and devout, much in the enthusiastical way. In the end of his days he set himself wholly to mind the East India trade. But that was an employment not so well suited to his natural genius. And it ended fatally; for the actions sinking on the sudden on the breaking out of a new war, that sunk him into a melancholy, which quite distracted him. The town of Amsterdam was for many years conducted by him as by a dictator. And that had exposed them to as many errors as the irregularity of his notions suggested. The breaking the West India company, and the loss of Munster in the year 1658, was owing to that. It was then demonstrated, that the loss of that town laid the States open on that side; and that Munster, being in their hands, would not only cover them, but be a fit place for making levies in Westphalia. Yet Amsterdam would not consent to that new charge; and fancied there was no danger on that side. But they found afterwards, to their cost, that their unreasonable managery in that particular drew upon them an expense of many millions, by reason of the unquiet temper of that martial bishop, who had almost ruined them this year on the side of Freizland. But his miscarriage in the siege of Groningen, and the taking Cocvorden by surprise in the end of the year, as it was among the first things that raised the spirits of the Dutch, so both the bishop's strength and reputation sunk so entirely upon it, that he never gave them any great trouble after that.

Another error, into which the frugality of Amsterdam drew the States, was occasioned by the offer that D'Estrades, the French ambassador, made them in the year 1663, of a division of the Spanish Netherlands, by which Ostend and a line from thence to Maestricht, within which Bruges, Ghent, and Antwerp, were to be comprehended, was offered to them; the French desiring only St. Omer, Valenciennes, Cambray, and Luxemburgh: and the dominions that lay between those lines were to be a free commonwealth; as Halewyn assured me, who said he was in the secret at that time. This was much debated all Holland over. It was visible that this new commonwealth, taken out of the hands of the Spaniards, must naturally have fallen into a dependence on the States, and have become more considerable, when put under a better conduct. Yet this would have put the States at that time to some considerable charge. And, to avoid that, the proposition was rejected, chiefly by the opposition that Amsterdam made to it: where the prevailing maxim was, to reduce their expense, to abate taxes, and to pay their public debts. By such an unreasonable parsimony matters were now brought to that state, that they were engaged into a war of so vast an expense, that the yearly produce of their whole estates did not answer all the taxes that they were forced to lay on their people.

After the prince saw that the French demands were at this time so high, and that it was not possible to draw England into a separate treaty, he got the States to call an extraordinary assembly, the most numerous that has been in this age. To them the prince spoke nearly three hours, to the amazement of all that heard him, which was owned to me by one of the deputies of Amsterdam. He had got great materials put in his hands, of which he made very good use. He first went through the French propositions, and showed the consequence



and the effects that would follow on them ; that the accepting them would be certain ruin, and the very treating about them would distract and dispirit their people ; he therefore concluded, that the entertaining a thought of these was the giving up their country. If any could hearken to such a motion, the lovers of religion and liberty must go to the Indies, or to any other country where they might be free and safe. After he had gone through this, nearly an hour, he in the next place showed the possibility of making a stand, notwithstanding the desperate state to which their affairs seemed reduced. He showed the force of all their allies ; that England could not hold out long without a parliament ; and they were well assured that a parliament would draw the king to other measures. He showed the impossibility of the French holding out long, and that the Germans coming down to the Lower Rhine must make them go out of their country as fast as they came into it. In all this he showed that he had a great insight into the French affairs. He came last to show, how it was possible to raise the taxes that must be laid on the country, to answer such a vast and unavoidable expense ; and set before them a great variety of projects for raising money. He concluded, that if they laid down this for a foundation, that religion and liberty could not be purchased at too dear a rate, and that therefore every man among them, and every minister in the country, ought to infuse into all the people, that they must submit to the present extremity, and to very extraordinary taxes ; by this means, as their people would again take heart, so their enemies would loose theirs, who built their chief hopes on that universal dejection among them that was but too visible to all the world. Every one that was present seemed amazed to hear so young a man speak to so many things, with so much knowledge and so true a judgment. It raised his character wonderfully, and contributed not a little to put new life into a country, almost dead with fear, and dispirited with so many losses. They all resolved to maintain their liberty to the last ; and, if things should run to extremities, to carry what wealth they could with them to the East Indies. The state of the shipping capable of so long a voyage was examined : and it was reckoned that they could transport above two hundred thousand people thither.

Yet all their courage would probably have stood them in little stead, if the king of France could have been prevailed on to stay longer at Utrecht. But he made haste to go back to Paris. Some said it was the effect of his amours, and that it was hastened by some quarrels among his mistresses. Others thought he was hastening to receive the flatteries that were preparing for him there. And indeed in the outward appearances of things there was great occasion for them, since he had a run of success beyond all expectation : though he himself had no share in it, unless it was to spoil it. He left a garrison in every place he took, against Turenne's advice, who was for dismantling them all, and keeping his army still about him. But his ministers saw so far into his temper, that they resolved to play a sure game, and to put nothing to hazard. Upon the elector of Brandenburg's coming down, Monsieur Turenne was sent against him ; by which means the army about the king was so diminished, that he could undertake no great design, besides the siege of Nimeguen, that held out some weeks, with so small a force. And though the prince of Orange had not above eight thousand men about him, employed in keeping a pass near Woerden, yet no attempt was made to force him from it. Another probable reason of his returning back so soon was, a suggestion of the desperate temper of the Dutch, and that they were capable of undertaking any design, how black soever, rather than perish. Some told him of vaults under the streets of Utrecht, where gunpowder might be laid to blow him up as he went over them ; and all these were observed to be avoided by him. He would never lodge within the town, and came but seldom to it. He upon one or other of these motives went back. Upon which the prince of Conde said, he saw he had not the soul of a conqueror in him ; and that his ministers were the best *Commis*, but the poorest ministers in the world, who had not souls made for great things, or capable of them.

If the king had a mind to be flattered by his people, he found at his return enough even to surfeit him. Speeches, verses, inscriptions, triumphal arches, and medals, were prepared with a profusion, and excess of flattery, beyond what had been offered to the worst of the Roman emperors, hating the ceremony of adoration. But blasphemous impieties were not wanting to raise and feed his vanity. A solemn debate was held all about Paris, what title should

be given him. *Le Grand* was thought too common. Some were for *Invincible*. Others were for *Le Conquerant*. Some, in imitation of Charlemagne, for Lewis *Le Magna*. Others were for *Maximus*. But *Très Grand* sounded not so well; no more did *Maxime*. So they settled on *Le Grand*. And all the bodies of Paris seemed to vie in flattery. It appeared that the king took pleasure in it; so there has followed upon it the greatest run of the most fulsome flattery that is in history. Had the king of France left such a man as Turenne at Utrecht, it might have had ill effects on the resolutions taken by the Dutch. But he left Luxemburgh there, who had no regard to articles; but made all people see what was to be expected, when they should come under such a yoke, that was then so intolerable a burden, even while it ought to have been recommended to those, who were yet free, by a gentle administration. This contributed not a little to fix the Dutch in those obstinate resolutions they had taken up.

There was one very extraordinary thing that happened near the Hague this summer. I had it from many eye-witnesses: and no doubt was made of the truth of it by any at the Hague. Soon after the English fleet had refitted themselves, (for they had generally been much damaged by the engagement in Solbay,) they appeared in sight of Scheveling, making up to the shore. The tide turned; but they reckoned that with the next flood they would certainly land the forces that were aboard, where they were like to meet with no resistance. So they sent to the prince for some regiments to hinder the descent. He could not spare many men, having the French very near him. So between the two the country was given up for lost, unless De Ruyter should quickly come up. The flood returned, which they thought was to end in their ruin. But to all their amazement, after it had flowed two or three hours, an ebb of many hours succeeded, which carried the fleet again to the sea. And, before that was spent, De Ruyter came in view. This they reckoned a miracle wrought for their preservation. Soon after that they escaped another design, that otherwise would very probably have been fatal to them.

The earl of Ossory, eldest son to the duke of Ormond, a man of great honour, generosity, and courage, had been often in Holland; and, coming by Helvoetsluys, he observed, it was a place of great consequence, but very ill looked to. The Dutch trusting to the danger of entering into it, more than to any strength that defended it, he thought it might be easy to seize and fortify that place. The king approved this. So some ships were sheathed, and victualled, as for a voyage to a great distance. He was to have five men of war, and transport ships for twelve or fifteen hundred men; and a second squadron, with a farther supply, if he succeeded in the attempt, was to follow. He had got two or three of their pilots brought out on a pretended errand; and these he kept very safe to carry him in. This was communicated to none, but to the duke, and to lord Arlington; and all was ready for the execution. Lord Ossory went to this fleet, and saw everything ready as was ordered, and came up to receive the king's sailing orders; but the king, who had ordered him to come next morning for his despatch, discovered the design to the duke of Buckingham, who hated both the duke of Ormond and lord Ossory, and would have seen the king and all his affairs perish, rather than that a person whom he hated should have the honour of such a piece of merit. He upon that did turn all his wit to make the thing appear ridiculous and impracticable. He represented it as unsafe on many accounts; and as a desperate stroke, that put things, if it should succeed, out of a possibility of treaty or reconciliation. The king could not withstand this. Lord Ossory found next morning that the king had changed his mind: and it broke out, by the duke of Buckingham's loose way of talking, that it was done by his means; so the design was laid aside: but when the peace was made, lord Ossory told it to the Dutch ambassadors; and said, since he did not destroy them by touching them in that weak and sore part, he had no mind they should lie any longer open to such another attack. When the ambassadors wrote this over to their masters, all were sensible how easy it had been to have seized and secured that place, and what a terrible disorder it would have put them in; and upon this they gave order to put the place in a better posture of defence for the future. So powerfully did spite work on those about the king, and so easy was he to the man of wit and humour. The duke stayed long at sea, in hopes to have got the East India fleet; but they came sailing so near the German coast, that they passed him before

he was aware of it; so he came back after a long and inglorious campaign. He lost the honour of the action that was at Solbay, and missed the wealth of that fleet, which he had long waited for.

I will complete the transactions of this memorable year with an account of the impression that Luxemburgh made on the Dutch near the end of it, which would have had a very tragical conclusion, if a happy turn of weather had not saved them. Stoupe was then with him, and was in the secret. By many feints, that amused the Dutch so skilfully, that there was no suspicion of the true design, all was prepared for an invasion, when a frost should come. It came at last; and it froze and thawed by turns for some time, which they reckon makes the ice the firmest. At last a frost continued so strong for some days, that upon piercing and examining the ice, it was thought it could not be dissolved by any ordinary thaw, in less than two days. So, about midnight, Luxemburgh marched out of Utrecht towards Leyden, with about sixteen thousand men. Those of Utrecht told me, that, in the minute in which they began to march, a thaw wind blew very fresh. Yet they marched on till daylight, and came to Summerdam and Bodegrave, which they gained not without difficulty. There they stopped, and committed many outrages of crying lust and barbarous cruelty, and vented their impiety in very blasphemous expressions, upon the continuance of the thaw, which now had quite melted the ice, so that it was not possible to go back the way that they came, where all had been ice, but was now dissolved to about three feet depth of water. There were cause-ways, and they were forced to march on these; but there was a fort, through which they must pass: and one Painevine, with two regiments, was ordered to keep it, with some cannon in it. If he had continued there, they must all have been taken prisoners, which would have put an end to the war; but, when he saw them march to him in the morning, he gave all for lost, and went to Tergow, where he gave the alarm, as if all was gone; and he offered to them to come to help them by that garrison to a better capitulation: so he left his post, and went thither. The French army, not being stopped by that fort, got safe home; but their behaviour in those two villages was such, that, as great pains were taken to spread it over the whole country, so it contributed not a little to the establishing the Dutch in their resolutions, of not only venturing but of losing all, rather than come under so cruel a yoke.

Painevine's withdrawing had lost them an advantage never to be regained: so the prince ordered a council of war to try him. He pleaded, that the place was not tenable; that the enemy had passed it; so he thought the use it was intended for was lost: and if the enemy had come to attack him, he must have surrendered upon discretion: and he pleaded farther, that he went from it upon the desire of one of their towns to save it. Upon this defence he was acquitted as to his life, but condemned to infamy, as a coward, and to have his sword broken over his head, and to be for ever banished the States dominions. But an appeal lay, according to their discipline, to a council of war, composed of general officers; and they confirmed the sentence. The towns of Holland were highly offended at these proceedings. They said, they saw the officers were resolved to be gentle to one another, and to save their fellow-officers, how guilty soever they might be. The prince yielded to their instances, and brought him to a third trial before himself, and a court of the supreme officers, in which they had the assistance of six judges. Painevine stood on it, that he had undergone two trials, which was all that the martial law subjected him to; and in those he was acquitted. Yet this was overruled. It was urged against him, that he himself was present in the council of war that ordered the making that fort; and he knew that it was not intended to be a place tenable against an army, but was only meant to make a little stand for some time, and was intended for a desperate state of affairs; and that therefore he ought not to have left his post, because of the danger he was in: he saw the thaw began; and so ought to have stayed, at least till he had seen how far that would go; and being put there by the prince, he was to receive orders from none but him. Upon these grounds he was condemned, and executed, to the great satisfaction of the States, but to the general disgust of all the officers, who thought they were safe in the hands of an ordinary council of war, and did not like this new method of proceeding.

They were also not a little troubled at the strict discipline that the prince settled, and at



the severe execution of it : but by this means he wrought up his army to a pitch of obedience and courage, of sobriety and good order, that things put on another face ; and all men began to hope that their armies would act with another spirit, now that the discipline was so carefully looked to. It seems the French made no great account of them, for they released twenty-five thousand prisoners, taken in several places, for fifty thousand crowns.

Thus I have gone far into the state of affairs of Holland in this memorable year. I had most of these particulars from Dycvelt and Halewyn ; and I thought this great turn deserved to be set out with all the copiousness with which my informations could furnish me. This year the king declared a new mistress, and made her duchess of Portsmouth. She had been maid of honour to Madame, the king's sister, and had come over with her to Dover, where the king had expressed such a regard to her, that the duke of Buckingham, who hated the duchess of Cleveland, intended to put her on the king. He told him, that it was a decent piece of tenderness for his sister to take care of some of her servants : so she was the person the king easily consented to invite over. That duke assured the king of France that he could never reckon himself sure of the king, but by giving him a mistress that should be true to his interests. It was soon agreed to. So the duke of Buckingham sent her with a part of his equipage to Dieppe ; and said, he would presently follow. But he, who was the most inconstant and forgetful of all men, never thought of her more, but went to England by the way of Calais. So Montague, then ambassador at Paris, hearing of this, sent over for a yacht for her, and sent some of his servants to wait on her, and to defray her charge, till she was brought to Whitehall ; and then lord Arlington took care of her. So the duke of Buckingham lost the merit he might have pretended to, and brought over a mistress, whom his own strange conduct threw into the hands of his enemies. The king was presently taken with her. She studied to please and observe him in every thing ; so that he passed away the rest of his life in a great fondness for her. He kept her at a vast charge ; and she, by many fits of sickness, some believed real, and others thought only pretended, gained of him every thing she desired. She stuck firm to the French interest, and was its chief support. The king divided himself between her and Mistress Gwyn, and had no other avowed amour ; but he was so entirely possessed by the duchess of Portsmouth, and so engaged by her in the French interest, that this threw him into great difficulties, and exposed him to much contempt and distrust.

I now return to the affairs of Scotland, to give an account of a session of parliament, and the other transactions there in this critical year. About the end of May, duke Lauderdale came down with his lady in great pomp : he was much lifted up with the French success, and took such pleasure in talking of De Wit's fate, that it could not be heard without horror. He treated all people with such scorn, that few were able to bear it. He adjourned the parliament for a fortnight, that he might carry his lady round the country ; and was everywhere waited on, and entertained with as much respect, and at as great a charge, as if the king had been there in person. This enraged the nobility ; and they made great applications to duke Hamilton, to lead a party against him, and to oppose the tax that he demanded, of a whole year's assessment. I soon grew so weary of the court, though there was scarcely a person so well used by him as I myself was, that I went out of town ; but duke Hamilton sent for me, and told me, how vehemently he was solicited by the majority of the nobility to oppose the demand of the tax. He had promised me not to oppose taxes in general ; and I had assured duke Lauderdale of it. But he said, this demand was so extravagant, that he did not imagine it would go so far ; so he did not think himself bound, by a promise made in general words, to agree to such a high one. Upon this I spoke to duke Lauderdale, to show him the inclinations many had to an opposition to that demand, and the danger of it. He rejected it in a brutal manner, saying, they durst as soon be damned as oppose him. Yet I made him so sensible of it, that he appointed the marquis of Athol to go and talk in his name to duke Hamilton, who moved that I might be present ; and that was easily admitted. Lord Athol pressed duke Hamilton to come into an entire confidence with duke Lauderdale ; and promised, that he should have the chief direction of all affairs in Scotland under the other. Duke Hamilton asked, how stood the parliament of England affected to the war. Lord Athol assured him, there was a settled design of having no more parliaments

in England. The king would be master, and would be no longer curbed by a house of commons. He also laid out the great advantages that Scotland, more particularly the great nobility, might find by striking in heartily with the king's designs, and of making him absolute in England. Duke Hamilton answered very honestly, that he would never engage in such designs; he would be always a good and faithful subject, but he would be likewise a good countryman. He was very unwilling to concur in the land-tax. He said, Scotland had no reason to engage in the war, since as they might suffer much by it, so they could gain nothing, neither by the present war, nor by any peace that should be made. Yet he was prevailed on, in conclusion, to agree to it. And upon that the business of the session of parliament went on smoothly without any opposition.

The duchess of Lauderdale, not contented with the great appointments they had, set herself by all possible methods to raise money. They lived at a vast expense, and every thing was set to sale. She carried all things with a haughtiness that could not have been easily borne from a queen. She talked of all people with an ungoverned freedom, and grew to be universally hated. I was out of measure weary of my attendance at their court, but was pressed to continue it. Many found I did good offices. I got some to be considered, and advanced, that had no other way of access: but that which made it more necessary was, that I saw Sharp and his creatures were making their court with the most abject flattery, and all the submissions possible. Leighton went seldom to them, though he was always treated by them with great distinction. So it was necessary for me to be about them, and keep them right, otherwise all our designs were lost without recovery. This led me to much uneasy compliance; though I asserted my own liberty, and found so often fault with their proceedings, that once or twice I used such freedom, and it was so ill taken, that I thought it was fit for me to retire: yet I was sent for, and continued in such high favour, that I was again tried if I would accept of a bishopric, and was promised the first of the two archbishoprics that should fall. But I was still fixed in my former resolutions, not to engage early, being then but nine-and-twenty, nor could I come into a dependence on them.

Duke Lauderdale at his coming down had expected, that the presbyterians should have addressed themselves to him for a share in that liberty, which their brethren had now in England, and which he had asserted in a very particular manner at the council table in Whitehall. One Whatley, a justice of peace in Lincolnshire, if I remember the county right, had disturbed one of the meeting-houses that had got a licence pursuant to the declaration for a toleration; and he had set fines on those that met in it, conformably to the act against conventicles. Upon which he was brought up to council, to be reprimanded for his high contempt of his majesty's declaration. Some privy councillors shewed their zeal in severe reflections on his proceedings. Duke Lauderdale carried the matter very far. He said, the king's edicts were to be considered, and obeyed as laws, and more than any other law. This was written down by some that heard it, who were resolved to make use of it against him in due time. He looked on near two months after he came down from Scotland, waiting still for an application for liberty of conscience; but the designs of the court were now clearly seen into. The presbyterians understood they were only to be made use of in order to the introducing of popery; so they resolved to be silent and passive. Upon this he broke out into fury and rage against them. Conventicles abounded in all places of the country: and some furious zealots broke into the houses of some of the ministers, wounding them and robbing their goods, forcing some of them to swear, that they would never officiate any more in their churches. Some of these were taken, and executed. I visited them in prison, and saw in them the blind madness of ill-grounded zeal, of which they were never fully convinced. One of them seemed to be otherwise no ill man. Another of them was a bold villain. He justified all that they had done, from the Israelites robbing the Egyptians, and destroying the Canaanites.

That which gave duke Lauderdale a juster ground of offence was, that one Carstairs, much employed since that time in greater matters, was taken in a ship that came from Rotterdam. He himself escaped out of their hands, but his letters were taken. They had a great deal written in white ink; which shewed that the design of sending him over was, to know in what disposition the people were, promising arms and other necessaries, if they

were in a condition to give the government any disturbance. But the whole was so darkly expressed, much being referred to the bearer, that it was not possible to understand what lay hid under so many mysterious expressions. Upon this a severe prosecution of conventicles was set on foot, and a great deal of money was raised by arbitrary fines. Lord Athol made of this in one week 1,900*l.* sterling. I did all I could to moderate this fury, but all was in vain. Duke Lauderdale broke out into the most frantic fits of rage possible. When I was once saying to him, was that a time to drive them into a rebellion? Yes, said he, would to God they would rebel, that so he might bring over an army of Irish papists to cut all their throats. Such a fury as this seemed to furnish work for a physician, rather than for any other sort of men; but after he had let himself loose into these fits for near a month, he calmed all on the sudden: perhaps upon some signification from the king; for the party complained to their friends in London, who had still some credit at court.

He called for me all on the sudden, and put me in mind of the project I had laid before him, of putting all the ousted ministers by couples into parishes; so that instead of wandering about the country, to hold conventicles in all places, they might be fixed to a certain abode, and every one might have the half of a benefice. I was still of the same mind; and so was Leighton, who compared this to the gathering the coals that were scattered over the house, setting it all on fire, into the chimney, where they might burn away safely. Duke Lauderdale set about it immediately, and the benefit of the indulgence was extended to forty more churches. This, if followed as to that of doubling them in a parish, and of confining them within their parishes, would have probably laid a flame that was spreading over the nation, and was likely to prove fatal in conclusion. But duke Lauderdale's way was, to govern by fits, and to pass from hot to cold ones, always in extremes. So this of doubling them, which was the chief part of our scheme, was quite neglected. Single ministers went into those churches; and those who were not yet provided for, went about the country holding conventicles very boldly without any restraint, and no care at all was taken of the church.

Sharp and his instruments took occasion from this to complain, that the church was ruined by Leighton's means; and I wanted not my share in the charge; and indeed the remissness of the government was such, that there was just cause of complaint. Great numbers met in the fields; men went to those meetings with such arms as they had: and we were blamed for all this. It was said, that things went so far beyond what a principle of moderation could suggest, that we did certainly design to ruin and overturn the constitution. Leighton upon all this concluded he could do no good on either side; he had gained no ground on the presbyterians, and was suspected and hated by the episcopal party; so he resolved to retire from all public employments, and to spend the rest of his days in a corner, far from noise and business, and to give himself wholly to prayer and meditation, since he saw he could not carry on his great designs of healing and reforming the church, on which he had set his heart. He had gathered together many instances out of church history of bishops that had left their sees, and retired from the world, and was much pleased with these. He and I had many discourses on this argument. I thought a man ought to be determined by the providence of God, and to continue in the station he was in, though he could not do all the good in it that he had proposed to himself: he might do good in a private way by his example, and by his labours, more than he himself could know; and as a man ought to submit to sickness, poverty, or other afflictions, when they are laid on him by the hand of Providence; so I thought the labouring without success was indeed a very great trial of patience, yet such labouring in an ungrateful employment was a cross, and so was to be borne with submission; and that a great uneasiness under that, or the forsaking a station because of it, might be the effect of secret pride, and an indignation against Providence. He on the other hand said, his work seemed to be at an end: he had no more to do, unless he had a mind to please himself with the lazy enjoying a good revenue. So he could not be wrought on by all that could be laid before him, but followed duke Lauderdale to court, and begged leave to retire from his archbishopric. The duke would by no means consent to this; so he desired that he might be allowed to do it within a year. Duke Lauderdale thought so much time was gained; so, to be rid of his importunities, he moved the king to promise him, that, if he did

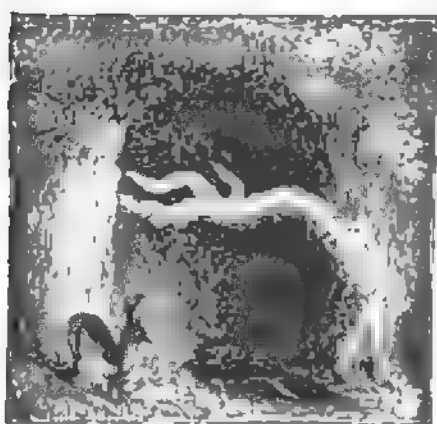


not change his mind, he would within the year accept of his resignation. He came back much pleased with what he had obtained, and said to me upon it, there was now but one uneasy stage between him and rest, and he would wrestle through it the best he could.

And now I am come to the period that I set out for this book. The world was now in a general combustion, set on by the ambition of the court of France, and supported by the feebleness and treachery of the court of England. A stand was made by the prince of Orange, and the elector of Brandenburg; but the latter, not being in time assisted by the emperor, was forced to accept of such conditions as he could obtain. This winter there was great practice in all the courts of Europe, by the agents of France, to lay them every where asleep, and to make the world look on their king's design in that campaign as a piece of glory, for the humbling of a rich and proud commonwealth; and that, as soon as that was done suitably to the dignity of the great monarch, he would give peace to the world, after he had shewn that nothing could stand before his arms. But the opening the progress of these negotiations, and the turn that the affairs of Europe took, belongs to the next period.

## BOOK III.

OF THE REST OF KING CHARLES THE SECOND'S REIGN, FROM THE YEAR 1673 TO THE YEAR 1685, IN WHICH HE DIED.



ITHERTO the reign of king Charles was pretty serene and calm at home. A nation, weary of a long civil war, was not easily brought into jealousies and fears, which are the seeds of distraction, and might end in new confusions and troubles. But the court had now given such broad intimations of an ill design, both on our religion and the civil constitution, that it was no more a jealousy: all was now open and barefaced. In the king's presence the court-flatterers were always magnifying absolute government, and reflecting on the insolence of a house of commons. The king said once to the earl of Essex, as he told me, that he did not wish to be like a grand seignior, with some mutes about him, and bags of bow-strings to strangle men, as he had a mind to it; but he did not think he was a king, as long as a company of fellows were looking into all his actions, and examining his ministers, as well as his accounts. He reckoned, now he had set the church party at such a distance from the dissenters, that it was impossible to make them join, in opposition to his designs. He hoped the church party would be always submissive, and he had the dissenters at mercy.

The proceedings of the former year had opened all men's eyes. The king's own religion was suspected, as his brother's was declared: and the whole conduct shewed a design to govern by the French model. A French general was brought over to command our armies. Count Schomberg, who was a German by birth, (but his mother was an English woman,) was sent over. He was a firm protestant, and served at first in Holland, but upon the prince of Orange's death he went into France, where he grew into so high a reputation, that he was kept under, and not raised to be a marshal, only on the account of his religion. He was a calm man, of great application and conduct: he thought much better than he spoke. He was a man of true judgment, of great probity, and of an humble and obliging temper: and at any other time of his life he would have been very acceptable to the English; but now he was looked on as one sent over from France, to bring our army under a French discipline; and so he was hated by the nation, and not much loved by the court\*. He was always pressing the king to declare himself the head of the protestant party. He pressed him likewise to bring his brother over from popery; but the king said to him, "you know my brother long ago, that he is as stiff as a mule." He liked the way of Charenton so well, that he went once a week in London to the French church there, that was according to that form: so the duke and lord Clifford looked on him as a presbyterian, and an unfit man for their purpose. The duke of Buckingham hated him, for he hoped to have commanded the army; and as an army is a very unacceptable thing to the English nation, so it came to be the more odious when commanded by a general sent over from France. Schomberg told me, he saw it was impossible that the king could bring any great design to a good effect. He loved his ease so much, that he never minded business; and every thing that was said to him of affairs was heard with so little attention, that it made no impression.

\* Frederick Schomberg, eventually made duke of Schomberg, marquis of Harwich, earl of Brentford, baron of Tava, knight of the garter, &c. by William the Third: a count of Germany and of Portugal, and a marechal of

France, was born in Germany during the year 1608. His father was count Schomberg, and his mother a daughter of lord Dudley. His career is noticed in future pages — See Birch's Lives, &c.

The ministry was all broken to pieces. The duke of Buckingham was alone, hated by all, as he hated all the rest; but he went so entirely into all their designs, that the king considered him, and either loved, or feared him so much, that he had a deep root with him. Lord Clifford stuck firm to the duke, and was heated with the design of bringing in popery, even to enthusiasm. It was believed, if the design had succeeded, he had agreed with his wife to take orders, and to aspire to a cardinal's hat. He grew violent, and could scarcely speak with patience of the church of England, and of the clergy. The earl of Arlington thought that the design was now lost, and that it was necessary for the king to make up with his people in the best manner he could. The earl of Shaftesbury was resolved to save himself on any terms.

The money was exhausted, so it was necessary to have a session of parliament; and one was called in the beginning of the year. At the opening it, the king excused the issuing out the writs, as done to save time, and to have a full house at the first opening: but he left that matter wholly to them: he spoke of the declaration for liberty of conscience in another style: he said, he had seen the good effects of it, and that he would stick to it, and maintain it: he said, he was engaged in a war for the honour of the nation, and therefore he demanded the supplies that were necessary to carry it on. On these heads lord Shaftesbury enlarged; but no part of his speech was more amazing than that, speaking of the war with the Dutch, he said, *Delenda est Carthago*. Yet, while he made a base complying speech in favour of the court, and of the war, he was in a secret management with another party\*.

The house of commons was upon this all in a flame. They saw popery and slavery lay at the bottom; yet, that they might not grasp at too much at once, they resolved effectually to break the whole design of popery. They argued the matter of the declaration, whether it was according to law or not. It was plainly an annulling of the penal laws, made both against papists and dissenters. It was said, that though the king had a power of pardoning, yet he had not a power to authorise men to break laws. This must infer a power to alter the whole government. The strength of every law was the penalty laid upon offenders; and, if the king could secure offenders by indemnifying them beforehand, it was a vain thing to make laws, since by that maxim they had no force, but at the king's discretion. Those who pleaded for the declaration pretended to put a difference between penal laws in spiritual matters, and all others; and said, that the king's supremacy seemed to give him a peculiar authority over these: by virtue of this it was, that the synagogue of the Jews, and the Walloon churches, had been so long tolerated. But to this it was answered, that the intent of the law in asserting the supremacy was only to exclude all foreign jurisdiction, and to lodge the whole authority with the king; but that was still to be bounded, and regulated by law: and a difference was to be made between a connivance, such as that the Jews lived under, by which they were still at mercy, and a legal authority: the parliament had never disputed the legality of the patent for the Walloon congregations, which was granted to encourage strangers, professing the same religion, to come among us, when they were persecuted for it in their own country: it was at first granted only to strangers; but afterwards, in the days of their children, who were natives, it had been made void: and now they were excepted by a special clause out of the Act of Uniformity. The house came quickly to a very unanimous resolution, that the declaration was against law†: and they set that forth, in an address to the king, in which they prayed that it might be called in. Some were studying to divert this, by setting them on to inquire into the issuing out the writs. And the court seemed willing that the storm should break on lord Shaftesbury, and would have gladly compounded the matter by making him the sacrifice. He saw into that, and so was resolved to change sides with the first opportunity.

The house was not content with this; but they brought in a bill, disabling all papists from holding any employment or place at court, requiring all persons in public trust to receive the sacrament in a parish church, and to carry an attested certificate of that, with

\* The speeches of the king, and the earl of Shaftesbury, are in Chandler's Debates, i. 163.

† The conclusion was far from unanimous. After a long and able debate, it was resolved, "That penal statutes

in matters ecclesiastical cannot be suspended but by act of parliament." The majority was 168; the minority, 116. —Gray's Debates, ii. 26.



witnesses to prove it, into Chancery, or the county sessions, and there to make a declaration renouncing transubstantiation in full and positive words. Great pains were taken by the court to divert this. They proposed that some regard might be had to protestant dissenters, and that their meetings might be allowed. By this means they hoped to have set them and the church party into new heats; for now all were united against popery. Love, who served for the city of London, and was himself a dissenter, saw what ill effects any such quarrels might have; so he moved, that an effectual security might be found against popery, and that nothing might interpose till that was done. When that was over, then they would try to deserve some favour; but at present they were willing to lie under the severity of the laws, rather than clog a more necessary work with their concerns. The chief friends of the sects agreed to this. So a vote passed to bring in a bill in favour of protestant dissenters, though there was not time enough, nor unanimity enough, to finish one this session: for it went no farther than a second reading, but was dropped in the committee. But this prudent behaviour of theirs did so soften the church party, that there were no more votes nor bills offered at against them, even in that angry parliament, that had been formerly so severe upon them.

The court was now in great perplexity. If they gave way to proceedings in the house of commons, there was a full stop put to the design for popery; and if they gave not way to it, there was an end of the war. The French could not furnish us with so much money as was necessary; and the shutting up the exchequer had put an end to all credit. The court tried what could be done in the house of lords. Lord Clifford resolved to assert the declaration with all the force, and all the arguments he could bring for it. He shewed the heads he intended to speak on to the king, who approved of them, and suggested some other hints to him. He began the debate with rough words: he called the house of commons *Monstrum horrendum ingens*, and ran on in a very high strain. He said all that could be said with great heat, and many indecent expressions. When he had done, the earl of Shaftesbury, to the amazement of the whole house, said, he must differ from the lord that spoke last *toto cælo*. He said, while those matters were debated out of doors, he might think with others, that the supremacy, asserted as it was by law, did warrant the declaration; but now that such a house of commons, so loyal and affectionate to the king were of another mind, he submitted his reasons to theirs: they were the king's great council; they must both advise and support him: they had done it, and would do it still, if their laws and their religion were once secure to them. The king was all in a fury to be thus forsaken by his chancellor, and told lord Clifford, how well he was pleased with his speech, and how highly he was offended with the other. The debate went on, and upon a division the court had the majority; but against that vote about thirty of the most considerable of the house protested: so the court saw they had gained nothing in carrying a vote that drew after it such a protestation\*.

This matter took soon after that a quick turn. It had been much debated in the cabinet, what the king should do. Lord Clifford and duke Lauderdale were for the king's standing his ground. Sir Ellis Leighton assured me, that the duke of Buckingham and lord Berkeley offered to the king, if he would bring the army to town, that they would take out of both houses the members that made the opposition. He fancied the thing might have been easily brought about, and that, if the king would have acted with the spirit that he sometimes put on, they might have carried their business. Duke Lauderdale talked of bringing an army

\* Whatever the king may have declared to the contrary, there is good reason to believe that he was inclining to recall the declaration. One contemporary historian tells us, that lord Shaftesbury perceived this, and conducted himself on the above occasion accordingly. On the day lord Clifford had undertaken to open the debate in the house of lords for establishing a perpetual fund, which would have the effect of rendering parliaments of little consequence, lord Shaftesbury appeared in the house at the head of those peers who were most zealous against the catholic religion, the war with Holland, and the alliance with France. Lord Clifford had prepared his speech, and

read it in confidence to Shaftesbury, who promised to join prominently in the debate. He had now the opportunity, which he is said to have desired, of repaying Clifford after his own example, or "ploughing with his heifer," as he termed it, in the project of shutting up the exchequer. The king and the duke of York were in the house during the debate, and while Shaftesbury was speaking, the duke whispered to his brother, "What a rogue have you of a lord chancellor." To which the king replied, "What a fool have you of a lord treasurer."—Echard's and Ralph's Historical of England.

out of Scotland, and seizing on Newcastle; and pressed this with as much vehemence, as if he had been able to have executed it. Lord Clifford said to the king, his people did now see through all his designs, and therefore he must resolve to make himself master at once, or be for ever subject to much jealousy and contempt. The earls of Shaftesbury and Arlington pressed the king on the other hand to give the parliament full content: and they undertook to procure him money for carrying on the war; and, if he was successful in that, he might easily recover what he must in this extremity part with. This suited the king's own temper, yet the duke held him in suspense.

Colbert's brother, Croissy, was then the French ambassador here. Lord Arlington possessed him with such an apprehension of the madness of violent counsels, and that the least of the ill effects they might have would be the leaving the war wholly on the French king, and that it would be impossible to carry it on, if the king should run to such extremities, as some were driving him to at home; that he gained him both to press the king and his brother to comply with the parliament, and to send an express to his own master, representing the whole matter in the light in which lord Arlington had set it before him.

In the afternoon of the day in which the matter had been argued in the house of lords, the earls of Shaftesbury and Arlington got all those members of the house of commons on whom they had any influence, (and who had money from the king, and were his spies, but had leave to vote with the party against the court, for procuring them the more credit) to go privately to him, and to tell him that upon lord Clifford's speech the house was in such fury, that probably they would have gone to some high votes and impeachments; but the lord Shaftesbury speaking on the other side restrained them. They believed, he spoke the king's sense, as the other did the duke's: this calmed them. So they made the king apprehend that the lord chancellor's speech, with which he had been so much offended, was really a great service done him: and they persuaded him farther, that he might now save himself, and obtain an indemnity for his ministers, if he would part with the declaration, and pass the bill. This was so dexterously managed by lord Arlington, who got a great number of the members to go one after another to the king, who by concert spoke all the same language, that before night the king was quite changed, and said to his brother, that lord Clifford had undone himself, and had spoiled their business by his mad speech; and that, though lord Shaftesbury had spoken like a rogue, yet that had stopped a fury which the indiscretion of the other had kindled, to such a degree that he could serve him no longer. He gave him leave to let him know all this. The duke was struck with this, and imputed it wholly to lord Arlington's management. In the evening he told lord Clifford what the king had said. The lord Clifford, who was naturally a vehement man, went upon that to the king, who scarce knew how to look him in the face. Lord Clifford said, he knew how many enemies he must needs make to himself by his speech in the house of lords: but he hoped that in it he both served and pleased the king, and was therefore the less concerned in every thing else; but he was surprised to find, by the duke, that the king was now of another mind. The king was in some confusion: he owned that all he had said was right it itself; but he said, that he, who sat long in the house of commons, should have considered better what they could bear, and what the necessity of his affairs required. Lord Clifford in his first heat was inclined to have laid down his white staff, and to have expostulated roundly with the king; but a cooler thought stopped him. He reckoned he must now retire, and therefore he had a mind to take some care of his family in the way of doing it; so he restrained himself, and said, he was sorry that his best meant services were so ill understood\*.

\* This disgrace, after a short pre-eminence of six months, hastened lord Clifford's death, though there does not seem any just reason for a rumour of the day that he fell by his own hand. Prince, in his "Worthies of Devon," says he died of a calculous disease in September, 1673. Evelyn was his intimate, and in his "Diary" states many interesting particulars of his displaced friend. At their parting, which proved to be the last, he says, "Lord Clifford wrung me by the hand, and said, 'Good bye; I shall never see thee more: do not expect it. I will never see this place, this city, or court again.'" He retired

to his native place, Ugbrook, in Devonshire. As a statesman we have seen he was a traitor to his country's liberties, and a sustainer of despotism; but in private life he appears to have been virtuous and amiable. Evelyn says he was "a valiant, uncorrupt gentleman; ambitious, not covetous; generous, passionate, and a most sincere, constant friend." Prince bears a similar testimony; he describes him as "a gentleman of a proper manly body, of a large and noble mind, of a sound head, and a stout heart."—Evelyn's Diary by Bray; Prince's Worthies of Devon; Biographia Britannica, &c.

Soon after this, letters came from the French king, pressing the king to do all that was necessary to procure money of his parliament, since he could not bear the charge of the war alone. He also wrote to the duke, and excused the advice he gave upon the necessity of affairs; but promised faithfully to espouse his concerns, as soon as he got out of the war, and that he would never be easy, till he recovered that which he was now forced to let go. Some parts of these transactions I had from the duke, and from duke Lauderdale; the rest that related to the lord Clifford, Titus told me he had from his own mouth.

As soon as lord Clifford saw he must lose the white staff, he went to the duke of Buckingham, who had contributed much to the procuring it to him, and told him he brought him the first notice that he was to lose that place to which he had helped him, and that he would assist him to procure it to some of his friends. After they had talked round all that were in any sort capable of it, and had found great objections to every one of them, they at last pitched on sir Thomas Osborn, a gentleman of Yorkshire, whose estate was much sunk. He was a very plausible speaker, but too copious, and could not easily make an end of his discourse. He had been always among the high cavaliers, and missing preferment he had opposed the court much, and was one of lord Clarendon's bitterest enemies. He gave himself great liberties in discourse, and did not seem to have any regard to truth, or so much as to the appearances of it: and was an implacable enemy; but he had a peculiar way to make his friends depend on him, and to believe he was true to them. He was a positive and undertaking man: so he gave the king great ease, by assuring him all things would go according to his mind in the next session of parliament. And when his hopes failed him, he had always some excuse ready to put the miscarriage upon. And by this means he got into the highest degree of confidence with the king, and maintained it the longest of all that ever served him\*.

The king now went into new measures. He called for the declaration, and ordered the seal put to it to be broken. So the act for the taking the sacrament, and the test against transubstantiation went on; and together with it an act of grace passed, which was desired chiefly to cover the ministry, who were all very obnoxious by their late actings. The court desired at least 1,200,000*l.*; for that sum was necessary to the carrying on the war. The great body of those who opposed the court had resolved to give only 600,000*l.*, which was enough to procure a peace, but not to continue the war. Garroway and Lee had led the opposition to the court all this session in the house of commons; so they were thought the properest to name the sum. Above eighty of the chief of the party had met over night, and had agreed to name 600,000*l.*; but Garroway named 1,200,000*l.*, and was seconded in it by Lee. So this surprise gained that great sum, which enabled the court to carry on the war. When their party reproached these persons for it, they said they had tried some of the court as to the sum intended to be named, who had assured them the whole agreement would be broken, if they offered so small a sum; and this made them venture on the double of it. They had good rewards from the court; and yet they continued still voting on the other side. They said, they had got good pennyworths for their money: a sure law against popery, which had clauses in it never used before; for all that continued in office after the time lapsed, they not taking the sacrament, and not renouncing transubstantiation (which came to be called *the test*, and the act from it *the test act*), were rendered incapable of holding any office; all the acts they did, in it were declared invalid and illegal, besides a fine of 500*l.* to the discoverer. Yet upon that lord Cavendish, now duke of Devonshire, said, that when much money was given to buy a law against popery, the force of the money would be stronger in order to the bringing it in than the law could be for keeping it out. I never knew a thing of this nature carried so suddenly, and so artificially, in the house of commons, as this was; to the great amazement of the Dutch, who relied on the

\* He is more generally known, and will be noticed in future pages as the earl of Danby, marquis Carnarthen, and duke of Leeds. The earl of Dartmouth formed an estimate of this statesman's talents more favourable than Burnet's, saying of him, that he never knew any one that expressed himself so clearly, or that seemed to carry his point so much by the force of a superior understanding.

In conversation, he had the art to extract the opinions of others without discovering his own; and he was thus enabled, much to his advantage, to undertake that such persons should support measures, because he had antecedently possessed himself of their judgments respecting them.—Oxford ed. of this work.



parliament, and did not doubt but that a peace with England would be procured by their interposition.

Thus this memorable session ended. It was indeed much the best session of that long parliament. The church party showed a noble zeal for their religion; and the dissenters got great reputation by their silent deportment. After the session was over, the duke carried all his commissions to the king, and wept as he delivered them up; but the king showed no concern at all. Yet he put the admiralty in a commission composed wholly of the duke's creatures: so that the power of the navy was still in his hands. Lord Clifford left the treasury, and was succeeded by Osborn, who was soon after made earl of Danby. The earl of Shaftesbury had lost the king's favour quite. But it was not thought fit to lay him aside, till it should appear what service he could do them in another session of parliament. Lord Arlington had lost the duke more than any other. He looked on him as a pitiful coward, who would forsake and betray anything, rather than run any danger himself. Prince Rupert was sent to command the fleet. But the captains were the duke's creatures; so they crossed him all they could, and complained of everything he did. In a word, they said he had neither sense nor conduct left. Little could be expected from a fleet so commanded, and so divided. He had two or three engagements with the Dutch, that were well fought on both sides, but were of no great consequence, and were drawn battles. None of the French ships engaged, except one, who charged their admiral for his ill-conduct; but, instead of reward, he was clapped in the Bastile, upon his return to France\*. This opened the eyes and mouths of the whole nation. All men cried out and said, we were engaged in a war by the French, that they might have the pleasure to see the Dutch and us destroy one another, while they knew our seas and ports, and learned all our methods, but took care to preserve themselves. Count Schomberg told me he pressed the French ambassador to have the matter examined. Otherwise, if satisfaction was not given to the nation, he was sure the next parliament would break the alliance. But by the ambassador's coldness, he saw the French admiral had acted according to his instructions. So Schomberg made haste to get out of England, to prevent an address to send him away; and he was by that time as weary of the court, as the court was of him.

The duke was now looking for another wife. He made addresses to the lady Bellasis, the widow of the lord Bellasis' son. She was a zealous protestant, though she was married into a popish family. She was a woman of much life and great vivacity, but of a very small proportion of beauty; as the Duke was often observed to be led, by his amours, to objects that had no extraordinary charms. Lady Bellasis gained so much on the duke, that he gave her a promise under his hand to marry her. And he sent Coleman to her to draw her over to popery; but in that she could not be moved. When some of her friends reproached her for admitting the duke so freely to see her, she could not bear it, but said that she could show that his addresses to her were honourable. When this came to the lord Bellasis' ears, who was her father-in-law, and was a zealous papist, and knew how intractable the lady was in those matters, he gave the whole design of bringing in their religion for gone, if that was not quickly broken; so he, pretending a zeal for the king, and the duke's honour, went and told the king all he had heard. The king sent for the duke, and told him, it was too much that he had played the fool once: that was not to be done a second time, and at such an age. The lady was also so threatened, that she gave up the promise, but kept an attested copy of it, as she herself told me†. There was an archduchess of Innspruck, to whom marriage was solemnly proposed; but, the empress happening to die at that time, the emperor himself married her. After that a match was proposed to the duke of Modena's daughter, which took effect. But because those at Rome were not willing to consent to it, unless she might have a public chapel, which the court would not hearken to, another marriage was proposed for a daughter of the duke of Crequi's. I saw a long letter of the duke's written to sir William Lockhart, upon this subject, with great anxiety. He apprehended if he was

\* This was the French rear-admiral Martel. He not being in the secret of his court, fought in earnest in the action of the 11th of August; and his narrative of the battle was suppressed.—Campbell's Admirals.

† Dean Swift mentions, in one of his letters to Mrs Dingley, that lady Bellasis died in the reign of queen Anne, and that one of her executors, lord Berkley of Stratton, benefited 10,000*l.* by her death.

not married before the session of parliament, that they would fall on that matter, and limit him so, that he should never be able to marry to his content; he was vexed at the stiffness of the court of Rome, who were demanding terms that could not be granted; he had sent a positive order to the earl of Peterborough, who was negotiating the business at Modena, to come away by such a day, if all was not consented to. In the meanwhile he hoped the king of France would not put that mortification on him, as to expose him to the violence of the parliament (I use his own words); but that he would give order for dispatching that matter with all possible haste. But while he was thus perplexed the court of Rome yielded, and so the duke married that lady by proxy; and the earl of Peterborough brought her over through France\*.

The Swedes offered at this time a mediation in order to a peace, and Cologne was proposed to be the place of treaty. The king ordered the earl of Sunderland, sir Leolin Jenkins†, and sir Joseph Williamson‡ thither, to be his plenipotentiaries. Lord Sunderland was a man of a clear and ready apprehension, and a quick decision in business. He had too much heat both of imagination and passion, and was apt to speak very freely both of persons and things. His own notions were always good; but he was a man of great expense. And, in order to the supporting himself, he went into the prevailing counsels at court; and he changed sides often, with little regard either to religion or the interest of his country. He raised many enemies to himself by the contempt with which he treated those who differed from him. He had indeed a superior genius to all the men of business that I have yet known. And he had the dexterity of insinuating himself so entirely into the greatest degree

\* This princess was Mary Beatrix Eleanor D'Eate, daughter of the duke of Modena. Louis the Fourteenth adopted her, and, it is said, gave her a portion suitable to her rank when she married the duke of York. But this was denied by secretary Coventry, who said she had 400,000 crowns from her father.—Gray's Debates, ii. 190. She died at St. Germain, in April, 1718. She will be frequently noticed as the queen of James the Second.

† Sir Leolin Jenkins is said to have been the son of a Glamorganshire tailor; at all events, his father was in humble circumstances, and the son was indebted for his education to a distant relative, the intrepid Judge David Jenkins, who told the parliament, in 1640, they were "a den of thieves," and if they executed him for high-treason he would mount the scaffold with the bible under one arm and Magna Charta under the other. Driven from Oxford by the civil disturbances during the reign of the first Charles, he acted as tutor to the sons of sir John Aubrey and others, travelled on the continent with his pupils, and thus profitably employed his time until the Restoration. He then was chosen a fellow of his college, Jesus, at Oxford, and soon after became its principal. He had made the civil law his particular study, and consequently was capable of filling the offices of judge of the admiralty and prerogative courts, to which he was preferred before the year 1668. In the year following, he was sent by Charles the Second to the French court, to claim the jewels of the queen-mother of England, then lately deceased there. Upon his return he was knighted. Upon his appointment to be a plenipotentiary, as mentioned in the text, he resigned the principality of his college. His other state employments will be mentioned in future pages. Upon his final retirement from secular employments, in 1684, he retired to Hammer-smith, and died there the year following, aged sixty-two.—(Wood's Fasti, 132 fol. Life prefixed to his Letters and State Papers). From the statements of sir W. Temple it would appear that he very much mistrusted his own judgment, so that he was not very well qualified for an ambassador; and as he once affirmed, in his place as a senator, that "the king might raise money without an act of Parliament," it is still more certain that he did not understand 'the nature of our

government, or else he sold his conscience to increase his influence with a despotic-minded king. Aubrey (MS. in the Ashmolean Museum) relates, that sir Lionel preserved a leather breeches he wore at Oxford, as a memorial of his good fortune. This shows he had dignity of mind.

‡ Sir Joseph Williamson was the son of a vicar of Bridekirk, in Cumberland. He was born about the year 1620. A pupil of the philosopher Locke, and initiated in politics as secretary under sir Edward Nicholas and the earl of Arlington, it is not surprising that his great natural talents rendered him one of the most able statesmen of his period. It was his abilities alone that brought him into notice, and caused him more than once to be elected a representative at the same time for Rochester and Thetford. His first appearance in parliament seems to have been during that which began in 1661. He was made clerk of the council and knighted in 1671. Some of his other political employments will be noticed in future pages. In 1674, he was made one of the secretaries of state, giving the earl of Arlington, his predecessor, 6000*l.* for the appointment (Temple's Memoirs); and in that capacity, four years afterwards, he so much incurred the resentment of the house of commons, that it committed him to the Tower. Charles, the same day, sent to the members of the house, and told them, "Though you have committed my servant without acquainting me, yet I intend to deal more freely with you, and acquaint you with my intention to release him;" which he did before they could draw up an opposing address. Sir Joseph devoted his leisure to literature and science. He was president of the Royal Society, and at his death, as he had in his life, he studied to promote the improvement of knowledge. He bequeathed a valuable collection of manuscripts and 6000*l.* to Queen's College, Oxford, where he had graduated; founded a mathematical school at Rochester; and left other munificent legacies. He married the sister and heiress of the duke of Richmond, which lady had a daughter by a former marriage with a son of the marquis of Thomond. This daughter eloped with the son of Henry, the second earl of Clarendon.—See Clarendon Correspondence, ii. 180, &c.; Wood's Fasti Oxon. ii. 197. fol.; Noble's Continuation of Grainger; Gen. Biograph. Dict., &c.

of confidence with three succeeding princes, who set up on very different interests, that he came by this to lose himself so much, that even those who esteemed his parts depended little on his firmness\*.

The treaty of Cologne was of a short continuance; for the emperor, looking on Furstenberg, the dean of Cologne, and bishop of Strasburgh, afterwards advanced to be cardinal, who was the elector's plenipotentiary at that treaty, as a subject of the empire, who had betrayed it, ordered him to be seized on. The French looked on this as such a violation of the passports, that they set it up for a preliminary, before they would enter upon a treaty, to have him set at liberty.

Maestricht was taken this summer; in which the duke of Monmouth distinguished himself so eminently, that he was much considered upon it. The king of France was there. After the taking of Maestricht he went to Nancy in Lorraine, and left the prince of Condé with the army in Flanders, Turenne having the command of that on the upper Rhine against the Germans; for the emperor and the whole empire were now engaged.

But I return now to the intrigues of our court. I came up this summer, in order to the publishing the "Memoirs of the Dukes of Hamilton." I had left Scotland under an universal discontent. The whole administration there was both violent and corrupt, and seemed to be formed on a French model. The parliament had in the year 1663, in order to the bringing our trade to a balance with England, given the king in trust a power to lay impositions on foreign commodities. So upon that a great duty was lately laid upon French salt, in order to the better vending the salt made at home: upon which it was sold very dear. And that raised great complaints; for, as the salt was excessively dear, so it did not serve all purposes. All people looked on this as the beginning of a *gabel*. An imposition was also laid on tobacco; and all brandy was prohibited to be imported, but not to be retailed; so those who had the grant of the seizures sold them, and raised the price very much. These occasioned monopolies: and the price of those things that were of great consumption among the commons was much raised; so that a trust lodged with the crown was now abused in the highest degree. As these things provoked the body of the people, so duke Lauderdale's insolence, and his engrossing everything to himself and to a few of his friends, and his wife and his brother setting all things to sale, raised a very high discontent all over the nation. The affairs of the church were altogether neglected; so that in all respects we were quite out of joint.

I went up with a full resolution to do my country all the service I could, and to deal very plainly with the duke of Lauderdale, resolving, if I could do no good, to retire from all affairs, and to meddle no more in public business. I lost indeed my best friend at court. Sir Robert Murray died suddenly at that time. He was the wisest and worthiest man of the age, and was as another father to me. I was sensible how much I lost in so critical a conjuncture, being bereft of the truest and faithfulest friend I had ever known: and so I saw, I was in danger of committing great errors, for want of so kind a monitor.

\* Robert Spencer had for his father Henry, first earl of Sunderland, who died in the king's cause at Newbury fight, and his mother was the celebrated Dorothy Sidney, eldest daughter of the earl of Leicester, so generally known as "Sarcasism," in the poems of Waller. He inherited the talents and beauty of his parents: but his father's constancy, even to death, for what he considered the right, did not descend to the son. A contemporary authority represents him as singularly unqualified for, and negligent of, public business; stating that he was remarkable for never speaking in public, nor even in the cabinet, more than saying he was of that lord's opinion, or, he wondered how any one could entertain such an opinion. When he was secretary, which office he filled a few years subsequently, Mr. Bridgeman always attended to take the minutes for him; and when president, the lord-chancellor invariably acted at the council in his stead. He never went to the secretary's office; but the papers were carried to his house, where he was usually found at cards, and he

signed them in general without reading them, or asking what were their contents—(Earl of Dartmouth, in Oxford ed. of this work). The chief events of his political life will be noticed in following pages, and they suggest to us the conclusion, that a minister who could allow himself to be the supporter of such totally opposite measures and principles as those which characterised the governments of Charles the Second, James the Second, and William the Third, must have been sufficiently pliant never to let his own virtue and opinions stand in the way of his interest. The Clarendon correspondence shows him acting traitorously and selfishly in the extreme. It appears he withheld a letter that might have saved Monmouth from the scaffold; changed his profession of religion to establish himself with James; and continued to hold office whilst he corresponded with him who came and dethroned him. When finally disgraced, he retired to his seat at Althorp, and died there generally despised, in 1702.—Park's Royal and Noble Authors.



At my coming to court, duke Lauderdale took me into his closet, and asked me the state of Scotland. I, upon that, gave him a very punctual and true account of it. He seemed to think that I aggravated matters; and asked me, if the king should need an army from Scotland to tame those in England, whether that might be depended on? I told him certainly not: the commons in the southern parts were all presbyterians; and the nobility thought they had been ill-used, and were generally discontented, and only waited for an occasion to show it. He said he was of another mind: the hope of the spoil of England would fetch them all in. I answered, the king was ruined if ever he trusted to that; and I added, that with relation to other more indifferent persons, who might be otherwise ready enough to push their fortunes, without any anxious enquiries into the grounds they went on; yet even these would not trust the king, since he had so lately said he would stick to his declaration, and yet had so soon after given it up. He said, *Hinc illæ lacrymæ*; but the king was forsaken in that matter, for none stuck to him but lord Clifford and himself; and then he set himself into a fit of railing at lord Shaftesbury. I was struck with this conversation, and by it I clearly saw into the desperate designs of the court, which were as foolish as they were wicked; for I knew that, upon the least disorder in England, they were ready in Scotland to have broken out into a rebellion: so far were they from any inclination to have assisted the king in the mastering of England. I was much perplexed in myself what I ought to do, whether I ought not to have tried to give the king a truer view of our affairs; but I resolved to stay for a fit opportunity. I tried the duchess of Lauderdale, and set before her the injustice and oppression that Scotland was groaning under; but I saw she got too much by it to be any way concerned at it. They talked of going down to hold a session of parliament in Scotland: I warned them of their danger; but they despised all I could say. Only great offers were made to myself to make me wholly theirs, which made no impression on me.

He carried me to the king, and proposed the licensing my "Memoirs" to him. The king bid me bring them to him, and said he would read them himself. He did read some parts of them, particularly the account I gave of the ill-conduct of the bishops, that occasioned the beginning of the wars; and told me that he was well pleased with it. He was at that time so much offended with the English bishops for opposing the toleration, that he seemed much sharpened against them. He gave me back my book to carry it to secretary Coventry, in order to the licensing it. The secretary said, he would read it all himself; so this obliged me to a longer stay than I intended. Sir Ellis Leighton carried me to the duke of Buckingham, with whom I passed almost a whole night, and happened so far to please him that he, who was apt to be fired with a new acquaintance, gave such a character of me to the king, that ever after that he took much notice of me, and said he would hear me preach. He seemed well pleased with my sermon; and spoke of it in a strain that drew much envy on me.

He ordered me to be sworn a chaplain, and admitted me to a long private audience, that lasted above an hour, in which I took all the freedom with him, that I thought became my profession. He run me into a long discourse about the authority of the church, which he thought we made much of in our disputes with the dissenters, and then took it all away when we dealt with the papists. I saw plainly what he aimed at in this, and I quickly convinced him that there was a great difference between an authority of government in things indifferent, and a pretence to infallibility. He complained heavily of the bishops for neglecting the true concerns of the church, and following courts so much, and being so engaged in parties. I went through some other things with relation to his course of life, and entered into many particulars with much freedom. He bore it all very well, and thanked me for it; some things he freely condemned, such as living with another man's wife; other things he excused, and thought "God would not damn a man for a little irregular pleasure." He seemed to take all I had said very kindly; and during my stay at court he used me in so particular a manner, that I was considered as a man growing into a high degree of favour.

At the same time lord Ancram, a Scotch earl, but of a small fortune, and of no principles, either as to religion or virtue, whose wife was a papist, and himself a member of the house

of commons, told the duke that I had a great interest in Scotland, and might do him service in that kingdom. He depended on duke Lauderdale, but hated him, because he did nothing for him. We were acquainted there; and he having studied the most divinity of any man of quality I ever knew, we found many subjects of discourse. He saw I did not flatter duke Lauderdale, and he fancied he might make a tool of me. So he seemed to wonder that I had not been carried to wait on the duke (of York), and brought me a message from him, that he would be glad to see me; and upon that he carried me to him. The duke received me very graciously. Lord Ancram had a mind to engage me to give him an account of the affairs of Scotland; but I avoided that, and very bluntly entered into much discourse with him about matters of religion. He said some of the common things, of the necessity of having but one church, otherwise we saw what swarms of sects did rise up on our revolt from Rome, and these had raised many rebellions and the shedding much blood; and he named both his father's death, and his great-grandmother's, Mary, queen of Scots. He also turned to some passages in Heylin's History of the Reformation, which he had lying by him; and the passages were marked, to show upon what motives and principles men were led into the changes that were then made. I enlarged upon all these particulars, and showed him the progress that ignorance and superstition had made in many dark ages, and how much bloodshed was occasioned by the papal pretensions; for all which the opinion of infallibility was a source never to be exhausted. And I spoke long to such things as were best suited to his temper and his capacity. I saw lord Ancram helped him all he could, by which I perceived how he made his court; for which, when I reproached him afterwards, he said it was ill-breeding in me to press so hard on a prince. The duke, upon this conversation, expressed such a liking to me, that he ordered me to come oft to him; and afterwards he allowed me to come to him in a private way, as oft as I pleased. He desired to know the state of affairs in Scotland. I told him how little that kingdom could be depended on. I turned the discourse often to matters of religion. He broke it very gently; for he was not at all rough in private conversation. He wished I would let those matters alone; I might be too hard for him and silence him, but I could never convince him. I told him it was a thing he could never answer to God, nor the world, that, being born and baptised in our church, and having his father's last orders to continue stedfast in it, he had suffered himself to be seduced, and as it were stolen out of it, hearing only one side, without offering his scruples to our divines, or hearing what they had to say in answer to them; and that he was now so fixed in his popery, that he would not so much as examine the matter. He said to me, he had often piqueered out (that was his word) on Sheldon, and some other bishops; by whose answers he could not but conclude, that they were much nearer the church of Rome than some of us young men were.

Stillingfleet had a little before this time published a book of the idolatry and fanaticism of the church of Rome. Upon that the duke said, he asked Sheldon if it was the doctrine of the church of England, that Roman catholics were idolaters: who answered him, it was not; but that young men of parts would be popular, and such a charge was the way to it. He at that time shewed me the duchess's paper, that has been since printed; it was all written with her own hand. He gave me leave to read it twice over, but would not suffer me to copy it. And upon the mention made in it of her having spoken to the bishops concerning some of her scruples, and that she had such answers from them as confirmed and brightened them, I went from him to Morley, as was said formerly, and had from him the answer there set down. I asked the duke's leave to bring doctor Stillingfleet to him. He was averse to it; and said, it would make much noise, and could do no good. I told him, even the noise would have a good effect; it would shew he was not so obstinate, but that he was willing to hear our divines. I pressed it much, for it became necessary to me, on my own account, to clear myself from the suspicion of popery, which this extraordinary favour had drawn upon me. I at last prevailed with the duke to consent to it: and he assigned an hour of audience. Stillingfleet went very readily, though he had no hopes of success. We were about two hours with him, and went over most of the points of controversy. Stillingfleet thought, the point that would go the easiest, and be the best understood by him, was the papal pretensions to a power over princes, in deposing them, and giving their domi-

nions to others: and upon that he shewed him, that popery was calculated to make the pope the sovereign of all Christendom. The duke shifted the discourse from one point to another; and did not seem to believe the matters of fact and history alleged by us. So we desired he would call for some priests, and hear us discourse of those matters with them in his presence. He declined this; and said, it would make a noise. He assured us, he desired nothing but to follow his own conscience, which he imposed on nobody else, and that he would never attempt to alter the established religion. He loved to repeat this often; but when I was alone with him, I warned him of the great difficulties his religion was likely to cast him into. This was no good argument to make him change; but it was certainly a very good argument to make him consider the matter so well, that he might be sure he was in the right. He objected to me the doctrine of the church of England in the point of submission, and of passive obedience. I told him, there was no trusting to a disputable opinion: there were also distinctions and reserves, even in those who had asserted these points the most; and it was very certain, that when men saw a visible danger of being first undone, and then burnt, they would be inclined to the shortest way of arguing, and to save themselves the best way they could; interest and self-preservation were powerful motives. He did very often assure me, he was against all violent methods, and all persecution for conscience sake, and was better furnished to speak well on that head, than on any other. I told him, all he could say that way would do him little service; for the words of princes were looked on as arts to lay men asleep: and they had generally regarded them so little themselves, that they ought not to expect that others should have great regard to them. I added, he was now of a religion in which others had the keeping of his conscience, who would now hide from him this point of their religion, since it was not safe to own it, till they had it in their power to put it in practice: and whenever that time should come, I was sure that the principles of their church must carry him to all the extremities of extirpation. I carried a volume of judge Crook's to him, in which it is reported, that king James had once in council complained of a slander cast on him, as if he was inclined to change his religion; and had solemnly vindicated himself from the imputation; and prayed, that if any should ever spring out of his loins that should maintain any other religion than that which he truly maintained and professed, that God would take him out of the world. He read it; but it made no impression: and when I urged him with some things in his father's book, he gave me the account of it that was formerly mentioned. He entered into great freedom with me about all his affairs; and he shewed me the journals he took of business every day with his own hand; a method, he said, that the earl of Clarendon had set him on. The duchess had begun to write his life. He shewed me a part of it in a thin volume in folio. I read some of it, and found it written with a great deal of spirit\*. He told me, he intended to trust me with his journals, that I might draw a history out of them: and thus, in a few weeks' time, I had got far into his confidence. He did also allow me to speak to him of the irregularities of his life, some of which he very freely confessed: and when I urged him, how such a course of life did agree with the zeal he shewed in his religion, he answered, "must a man be of no religion unless he is a saint?" Yet he bore my freedom very gently, and seemed to like me the better for it. My favour with him grew to be the observation of the whole court. Lord Ancram said, "I might be what I pleased, if I would be a little softer in the points of religion." Sir Ellis Leighton brought me a message from F. Sheldon, and some of his priests, assuring me, they heard so well of me, that they offered me their service. He pressed me to improve my present advantages to the making my fortune: the see of Durham was then vacant; and he was confident it would be no hard matter for me to compass it. But I had none of those views, and so was not moved by them. The duke of Buckingham asked me, what I meant in being so much about the duke? If I fancied I could change him in point of religion, I knew him and the world very little: if I had a mind to raise myself, a sure method for that

\* These papers, beyond a doubt, afforded materials to the Père d'Orléans, in his work relating to James the Second. Many of the Stuart papers, and the despatches of Harillon, preserved in the *Dépôt des Affaires Etrangères* at Paris, contain much information relative to our national

affairs at this period. In the introduction to Fox's "*History of James the Second*," and in the "*Memoirs of Sir J. Mackintosh*," there are some very interesting particulars of the dispersion, and supposed destruction of the chief of the Stuart papers.



was, to talk to him of the reformation, as a thing done in heat and haste, and that in a calmer time it might be fit to review it all. He said, I needed go no farther; for such an intimation would certainly raise me: and when I was positive not to enter into such a compliance, he told me, he knew courts better than I did: princes thought their favours were no ordinary things; they expected great submissions in return, otherwise they thought they were despised: and I would feel the ill effects of the favour I then had, if I did not strike into some compliances: and, since I was resolved against these, he advised me to withdraw from the court, the sooner the better. I imputed this to his hatred of the duke; but I found afterwards the advice was sound and good. I likewise saw those things in the duke's temper, from which I concluded, I could not maintain an interest in him long. He was for subjects submitting in all things to the king's notions; and thought, that all who opposed him, or his ministers in parliament, were rebels in their hearts; and he hated all popular things, as below the dignity of a king. He was much sharpened at that time by the proceedings of the house of commons.

In the former session it was known that he was treating a marriage with the archduchess, and yet no address was made to the king to hinder his marrying a papist: his honour was not then engaged; so it had been seasonable, and to good purpose, to have moved in it then: but now he was married by proxy, and lord Peterborough had brought the lady to Paris. Yet the house of commons resolved to follow the pattern the king of France had lately set. He treated with the elector Palatine for a marriage between his brother and the elector's daughter; in which one of the conditions agreed to was, that she should enjoy the freedom of her religion, and have a private oratory for the exercise of it. When she came on her way as far as Metz, an order was sent to stop her, till she was better instructed: upon which she changed, at least as to outward appearance. It is true, the court of France gave it out that the elector had consented to this method, for the saving his own honour; and he had given the world cause to believe he was capable of that, though he continued openly to deny it. The house of commons resolved to follow this precedent, and to make an address to the king, to stop the princess of Modena's coming to England till she should change her religion. Upon this the duke moved the king to prorogue the parliament for a week: and a commission was ordered for it. The duke went to the house on that day to press the calling up the commons, before they could have time to go on to business. Some peers were to be brought in. The duke pressed lord Shaftesbury to put that off, and to prorogue the parliament. He said coldly to him, there was no haste; but the commons made more haste, for they quickly came to a vote for stopping the marriage; and by this means they were engaged, (having put such an affront on the duke) to proceed farther. He presently told me how the matter went, and how the lord chancellor had used him; he was confident the king would take the seals from him, if he could not manage the sessions so as to procure him money, of which there was indeed small appearance. I told him, I looked on that as a fatal thing, if the commons began once to affront him; that would have a sad train of consequences, as soon as they thought it necessary for their own preservation, to secure themselves from falling under his revenges. He said, he was resolved to stand his ground, and to submit to the king in every thing: he would never take off an enemy; but he would let all the world see, that he was ready to forgive every one that should come off from his opposition, and make applications to him. When the week of the prorogation was ended, the session was opened by a speech of the king's, which had such various strains in it, that it was plain it was made by different persons. The duke told me that lord Clarendon, during his favour, had penned all the king's speeches; but that now they were composed in the cabinet, one minister putting in one period, while another made another; so that all was not of a piece. He told me lord Arlington was almost dead with fear; but lord Shaftesbury reckoned himself gone at court, and acted more roundly. In his speech he studied to correct his *Delenda est Carthago* \*, applying it to the Lovestein party †, whom he called the Carthaginians: but this made him as ridiculous as the other had made him odious. The house of commons took up again the matter of the duke's marriage, and moved for an address about it. But it was

\* A quotation he had made use of when speaking of our war with Holland. See p. 229.

† This was a party in Holland against having a stad-

holder, and so called from Lovestein Castle, in which the old prince of Orange had imprisoned some of the States who opposed him.

said, the king's honour was engaged: yet they addressed to him against it; but the king made them no answer\*. By that time I had obtained a licence of secretary Coventry for my book, which the king said should be printed at his charge.

But now I must give an account of a storm raised against myself, the effects of which were very sensible to me for many years. The duke of Lauderdale had kept the Scotch nation in such a dependence on himself, that he was not pleased with any of them that made an acquaintance in England, and least of all in the court: nor could he endure that any of them should apply themselves to the king or the duke, but through him. So he looked on the favour I had got into with a very jealous eye. His duchess questioned me about it. Those who know what court jealousies are will easily believe that I must have said somewhat to satisfy them, or break with them. I told her what was very true as to the duke, that my conversation with him was about religion; and that with the king I had talked of the course of life he led. I observed a deep jealousy of me in them both, especially, because I could not go with them to Scotland. I said I would follow as soon as the secretary would dispatch me. And as soon as that was done I took post, and by a great fall of snow was stopped by the way; but I unhappily got to Edinburgh the night before the parliament met. Duke Hamilton, and many others, told me how strangely duke Lauderdale talked of my interest at court, as if I was ready to turn papist. Duke Hamilton also told me they were resolved next day to attack duke Lauderdale, and his whole administration in parliament. I was troubled at this, and argued with him against the fitness of it all I could: but he said he was engaged. The earls of Rothes, Argyle, and Tweeddale, and all the cavalier party, had promised to stick by him. I told him, what afterwards happened, that most of these would make their own terms, and leave him in the lurch; and the load would lie on him. When I saw the thing was past remedy, I resolved to go home, and follow my studies, since I could not keep duke Lauderdale and him any longer in a good understanding.

Next day, when the parliament was opened, the king's letter was read, desiring their assistance in carrying on the war with Holland, and assuring them of his affection to them in very kind words. This was seconded by duke Lauderdale in a long speech: and immediately it was moved to appoint a committee to prepare an answer to the king's letter, as was usual. Duke Hamilton moved, that the state of the nation might be first considered, that so they might see what grievances they had: and he hinted at some. And then, as it had been laid, about twenty men, one after another, spoke to several particulars. Some mentioned the salt, others the tobacco, and the brandy: some complained of the administration of justice, and others of the coin. With this the duke of Lauderdale was struck, as one dead; for he had raised his credit at court by the opinion of his having all Scotland in his hand, and in a dependence on him: so a discovery of this want of credit with us he saw must sink him there. He had not looked for this, though I had warned him of a great deal of it: but he reflecting on that, and on the credit I had got at court, and on the haste I made in my journey, and my coming critically the night before the session opened; he laid all this together, and fancied I was sent on design, as the agent of the party, and that the licensing my book was only a blind: he believed sir Robert Murray had laid it, and that the earl of Shaftesbury had managed it; and because it was a common artifice of king Charles's ministers to put the miscarriage of affairs upon some accident, that had not been foreseen by them, but should be provided against for the future, he assured the king that I had been the incendiary, that I had my uncle's temper in me, and that I must be subdued, otherwise I would embroil all his affairs. The king took all things of that kind easily from his ministers, without hearing any thing to the contrary; for he was wont to say, all apologies were lies: upon which one said to him once, then he would always believe the first lie. But all this was much increased, when duke Lauderdale upon his coming up told the king, that I had boasted to his wife of the freedom that I had used with him, upon his course of life. With this the king was highly offended, or at least he made much use of it, to justify many hard things that he said of me; and for many years he allowed himself a very free scope in

\* The second address to the king against this marriage of the duke of York, was voted by a majority of one hundred and eighty-four against eighty-eight; affording decisive evidence of the strong and general feeling against

every measure that tended to strengthen the Roman catholic interest. The debate, which was long and animated, and the address voted, are given in Gray's Debates, b. 20. 214.

talking of me. I was certainly to blame for the freedom I had used with the duchess of Lauderdale; but I was surprised by her question, and I could not bring myself to tell a lie. So I had no other shift ready to satisfy her. But the duke (of York) kept up still a very good opinion of me. I went home to Glasgow, where I prosecuted my studies till the June following, when I went again to London.

Duke Lauderdale put off the session of parliament for some time, and called a council, in which he said great complaints had been made in parliament of grievances: he had full authority to redress them all in the king's name; therefore he charged the privy councillors to lay all things of that kind before that board, and not to carry them before any other assembly till they saw what redress was to be had there. Duke Hamilton said, the regular way of complaints was to make them in parliament, which only could redress them effectually; since the putting them down by the authority of council was only laying them aside for a while, till a fitter opportunity was found to take them up again. Upon this duke Lauderdale protested that he was ready in the king's name to give the subject ease and freedom, and that those who would not assist and concur with him in this, were wanting in duty and respect to the king; and since he saw the matter of the salt, the tobacco, and the brandy, had raised much clamour, he would quash these. But the party had a mind to have the instruments of their oppression punished, as well as the oppression itself removed, and were resolved to have these things condemned by some exemplary punishments, and to pursue duke Lauderdale and his party with this clamour.

Next session of parliament new complaints were offered. Duke Lauderdale said, these ought to be made first to the lords of the articles, to whom all petitions and motions ought to be made first; and that they were the only judges, what matters were fit to be brought into parliament. The other side said, they were only a committee of parliament, to put motions into the form of acts, but that the parliament had still an entire authority to examine into the state of the nation. In this debate they had the reason of things on their side; but the words of the act favoured duke Lauderdale. So he lodged it now where he wished it might be, in a point of prerogative. He valued himself to the king on this, that he had drawn the act that settled the power of the lords of the articles; who being all upon the matter named by the king, it was of great concern to him to maintain that, as the check upon factions spirits there; which would be no sooner let go, than the parliament of Scotland would grow as unquiet, as a house of commons was in England; that was a consideration which at this time had great weight with the king. I now return to give an account of this year's session in England.

In the beginning of it, the duke of Ormond, the earls of Shaftesbury and Arlington, and secretary Coventry, offered an advice to the king, for sending the duke for some time from the court, as a good expedient both for himself and the duke. The king hearkened so far to it, that he sent them to move it to the duke. He was highly incensed at it: he said he would obey all the king's orders, but would look on those as his enemies, who offered him such advices. And he never forgave this to any of them; no, not to Coventry, for all his good opinion of him. He pressed the king vehemently to take the seals from the earl of Shaftesbury. So it was done: and they were given to Finch, then attorney-general, made afterwards earl of Nottingham\*. He was a man of probity, and well versed in the laws.

\* There is reason to believe that the earl of Shaftesbury, in promoting the alliance with France and sanctioning the declaration for toleration, had for his object the breaking down that spirit of bigotry which was then so prevalent; but he found public opinion was too strong to be successfully opposed by individual talent; probably still more was he influenced to change his measures, by observing that public opinion was right in considering that the king and the duke would not be content with toleration for the Roman catholic religion, but aimed at acquiring for it the ascendancy. He therefore directed his energies to prevent this greater evil; and in doing so, had to oppose measures which he had originally supported. This must justify a suspicion of a man's consistency and

integrity; but at the same time it is always just to believe a man honest until he is proved to be a knave. The earl unquestionably was prone to be too energetic in the support he gave to the policy he advocated. There was no necessity to destroy the power of Holland, as he seemed to imply in his quotation—*Delenda est Carthago*—neither was there now any immediate necessity to intrigue with the prince of Orange to support the protestant interest against the designs of the king and the duke of York. Sir William Temple suspects he did.—*Temple's Works*, i. 394. fol. At all events, his proposition for the exile of the duke of York was suggested by a desire to support the established church party; and, as stated above, it lost him the chancellorship. Richard III. relates the circumstances.



He was long much admired for his eloquence, but it was laboured and affected ; and he saw it as much despised before he died. He had no sort of knowledge in foreign affairs ; and yet he loved to talk of them perpetually ; by which he exposed himself to those who understood them. He thought he was bound to justify the court in all debates in the house of lords, which he did with the vehemence of a pleader, rather than with the solemnity of a senator. He was an incorrupt judge, and in his court he could resist the strongest applications, even from the king himself, though he did it no where else. He was too eloquent on the bench, in the house of lords, and in common conversation. One thing deserves to be remembered of him : he took great care of filling the church livings that belonged to the seal with worthy men ; and he obliged them all to residence \*. Lord Shaftesbury was now at liberty to open himself against the court, which he did with as little reserve as decency.

The house of commons were resolved to fall on all the ministry. They began with duke Lauderdale, and voted an address to remove him from the king's councils and presence for ever. They went next upon the duke of Buckingham ; and, it being moved in his name, that the house would hear him, he was suffered to come to the house. The first day of his being before them he fell into such a disorder, that he pretended he was taken ill, and desired to be admitted again. Next day he was more composed. He justified his own designs, laying all the ill counsels upon others, chiefly on lord Arlington ; intimating plainly that the root of all errors was in the king and the duke. He said hunting was a good diversion, but if a man would hunt with a brace of lobsters, he would have but ill sport. He had used that figure to myself, but had then applied it to prince Rupert and lord Arlington : but it was now understood to go higher. His speech signified nothing towards the saving of himself ; but it lost him the king's favour so entirely, that he never recovered it afterwards. Lord Arlington was next attacked ; he appeared also before the commons, and spoke much better than was expected ; he excused himself, but without blaming the king : and this had so good an effect, that though he, as secretary of state, was more exposed than any other, by the many warrants and orders he had signed, yet he was acquitted, though by a small majority.

The earl was sent for to court on a Sunday morning, as was sir Henrico Finch, the attorney-general, to whom the seals were promised. As soon as the earl came he retired with the king into the closet, while the prevailing party waited in triumph to see him retire without the purse. His lordship being alone with the king, said, " Sir, I know you intend to give the seals to the attorney-general, but I am sure your majesty never intended to dismiss me with contempt." The king, who could not do an ill-natured thing, replied, " God's fish, my lord, I will not do it with any circumstances that may look like an affront." — " Then, Sir," said the earl, " I desire your majesty will permit me to carry the seals before you to chapel, and send for them afterwards from my house." To this the king readily consented, and the earl entertained the king with news, and other diverting stories, until the very minute he was to go to the chapel, purposely to keep the courtiers and his successor upon the rack for fear he should prevail upon the king to change his mind. The king and the earl came out of the closet talking together, and smiling as they went to chapel, which surprised every one, and some ran immediately to tell the duke of York all their measures were broken. The attorney-general was said to be inconsolable.—Echard's Hist. of England, 898.

\* Henrico Finch derived both his names from his father, recorder of London. He was born in 1621, educated at Westminster school, and Christchurch, Oxford ; and went to the Inner Temple about the year 1638, of which inn he in succession was barrister, reader, bencher, and treasurer. At the restoration he was made solicitor-general and a baronet. Anthony Wood gives a long list of the dignitaries, including the king, that he entertained when reader of the Temple in 1661. The same year he was elected the representative in parliament of Oxford university, but not voting for its exemption from the hearth-tax, he gave an opportunity to its public orator

when he was created a doctor of civil law, to give him a gentle rebuke, by saying, " the university wished they had more colleges, and more chambers in which to entertain their guests, but by no means any more chimneys." In 1670, he became attorney-general and lord keeper, as mentioned above, in November, 1673. Shortly after he was created lord Daventry, and in December, 1675, the higher official title of lord high chancellor was conferred upon him. In 1681, he was advanced in the peerage to the title of earl of Nottingham, but he did not long enjoy this honour, for he died the year following. As a statesman, though inclining too much to the enlargement of the crown's prerogative, yet he conducted himself with such moderation and manifest integrity, that no one ever raised against him a disparaging voice. As judge of the highest court of equity, he was deserving the greatest praise that can be uttered for his unflinching, unbiassed performance of his duty. Concurrent circumstances " enabled him, in the course of nine years, to build a system of jurisprudence and jurisdiction upon wide and rational foundations, which have also been extended and improved by many great men, who have since presided in chancery ; and from that time to this, the power and business of the court have amazingly increased."—Blackstone's Comment. iii. p. 55 ; Wood's Athenæ, ii. 718 ; Biog. Britannica. Dryden, in his " Absalom and Achitophel," characterises this great equity lawyer under the name of Amri, and only tells in verse, what others have recorded in prose, by saying—

" Our laws, that did a boundless ocean seem,  
Were coasted all, and fathom'd all by him :  
No rabbin speaks like him their mystic sense,  
So just, and with such charms of eloquence :  
To whom the double blessing does belong,—  
With Moses' inspiration, Aaron's tongue."

But the care he took to preserve himself, and his success in it, lost him his high favour with the king, as the duke was out of measure offended at him : so he quitted his post, and was made lord chamberlain \*.

The house of commons was resolved to force the king to a peace with the Dutch. The court of France recalled Croissy, finding that the duke was offended at his being led by lord Arlington. Rouvigny was sent over ; a man of great practice in business, and in all intrigues. He was still a firm protestant, but in all other respects a very dexterous courtier, and one of the greatest statesmen in Europe. He had the appointments of an ambassador, but would not take the character, that he might not have a chapel, and mass said in it. Upon his coming over, as he himself told me, he found all the ministers of the allies were perpetually plying the members of the house of commons with their memorials. He knew he could gain nothing on them, so he never left the king. The king was in great perplexity ; he would have done any thing, and parted with any persons, if that would have procured him money for carrying on the war. But he saw little appearance of that. He found he was indeed at the mercy of the States. So lord Arlington pressed the Spanish ministers to prevail with the States, and the prince of Orange, to get a proposition for a peace to be set on foot : and that it might have some shew of a peace, both begged and bought, he proposed that a sum of money should be offered the king by the States, which should be made over by him to the prince, for the payment of the debt he owed him. Rouvigny pressed the king much to give his parliament all satisfaction in points of religion. The king answered him, " if it was not for his brother's folly, (*la sottise de mon frère,*) he would get out of all his difficulties." Rouvigny drew a memorial for informing the house of commons of the modesty of his master's pretensions ; for now the French king was sensible of his errors in making such high demands as he had made at Utrecht ; and was endeavouring to get out of the war on easier terms. The States committed a great error in desiring a peace with England, without desiring, at the same time, that the king should enter into the alliance for reducing the French to the terms of the triple alliance. But the prince of Orange thought, that if he could once separate the king from his alliance with France, the other point would be soon brought about : and the States were much set on the having a peace with England, hoping then both to be freed of the great trouble of securing the coast at a vast charge, and also by the advantage of their fleet to ruin the trade and to insult the coasts of France. The States did this winter confer a new and extraordinary dignity on the prince of Orange. They made him hereditary stadtholder ; so that this was entailed on him, and his issue male. He had in a year and a half's time changed the whole face of

\* The king understanding that the house was about to vote an address to him against the duke of Lauderdale, made an effort to preserve him from the attack, that caused a scene in parliament such as was not unfrequent during the more violent struggles between the same branch of the legislature and his father. . On the 3rd of November, 1673, the commons adjourned to eight o'clock of the following morning ; but the speaker, sir Edward Seymour, who was treasurer of the navy, and in the interest of the court, did not come until ten. It had been arranged by the ministry that the speaker and the usher of the black rod to summon them to a prorogation should come together into the house, which they did, but the speaker entering first, some of the members clapped to the door, and the speaker was hurried to his seat amid cries of " To the chair—to the chair." Sir Robert Thomas immediately rose and moved, that our alliance with France was a grievance : that the evil counsellors about the king were a grievance, and that the duke of Lauderdale was a grievance, and not fit to be trusted or employed in any office. No debate was allowed, but an immediate cry " to the question—to the question : " but the black rod knocking earnestly at the door, the speaker leaped out of the chair, and the house rose in great confusion. The king briefly told them he intended to make a short recess, " that all good men might recollect themselves : " and he suggested that it would be better for them to apply " to

matters of religion, and support against our only competitors at sea, than to things of less importance." The house met again in two months, not at all abated in their determination to address the king to remove the dukes of Lauderdale and Buckingham, and the earl of Arlington. The first was included in the address without difficulty. Buckingham was heard twice by the house in his defence, and examined upon several points. In his speeches and his replies he threw the blame as much as he could upon the earl ; but the house voted his name to be included in the address for removal. Arlington was similarly heard, but with more dignity he only defended himself, and did not attempt to inculpate any one. This may have gained the good opinion of the house, but he had also a great support in his friend, the earl of Ossory. This nobleman, eldest son of the duke of Ormond, was the most popular man of his quality in England ; and during the five days the debate occupied relating to his friend, he stood in the lobby soliciting the members as they entered to favour him. Arlington's name was determined to be omitted from the address by a majority of 166 opposed by 127. The whole transaction is interestingly given at length in Grey's Debates, ii. pp. 222—329. See also Carte's Life of the Duke of Ormond, ii. 503, and Echard's Hist. of England.

The hon. Archibell Grey, whose reports are so frequently quoted in these notes, was thirty years a representative of Derby, during the parliaments of this period.

their affairs. He had not only taken Naerden, which made Amsterdam easy, but by a very bold undertaking he had gone up the Rhine to Boun, and had taken it in a very few days; and in it had cut off the supplies that the French sent down to their garrisons on the Rhine and the Isel. So that the French finding they could not subsist longer there, were now resolved to evacuate all those places, and the three provinces of which they were possessed; which they did a few months after. An alliance was also made with the emperor; and by this means both the elector of Cologne, and the bishop of Munster, were brought to a peace with the States. The elector of Brandenburg was likewise returning to the alliance with the States; for in the treaty to which he was forced to submit with Turenne for a truce of a year, he had put an article, reserving to himself a liberty to act in concurrence with the empire, according to such resolutions as should be taken in the diet. This change of the affairs of the States had got the prince of Orange the affections of the people to such a degree, that he could have obtained every thing of them that he would have desired: and even the loss of so important a place as Maestricht was not at all charged on him. So he brought the States to make applications to the king in the style of those who begged a peace, though it was visible they could have forced it. In conclusion, a project of a peace with England was formed, or rather the peace of Breda was written over again, with the offer of two or three hundred thousand pounds for the expense of the war. And the king signed it at lord Arlington's office\*.

He came up immediately into the drawing-room; where, seeing Rouvigny, he took him aside, and told him, he had been doing a thing that went more against his heart, than the losing of his right hand: he had signed a peace with the Dutch, the project being brought him by the Spanish ambassador: he saw nothing could content the house of commons, or draw money from them; and lord Arlington had pressed him so hard, that he had stood out till he was weary of his life; he saw it was impossible for him to carry on the war without supplies, of which it was plain he could have no hopes. Rouvigny told him, what was done could not be helped; but he would let him see how faithfully he would serve him on this occasion: he did not doubt but his master would submit all his pretensions to him, and make him the arbiter and mediator of the peace. This the king received with great joy; and said, it would be the most acceptable service that could be done him. The French resolved upon this to accept of the king's mediation; and so the king got out of the war, very little to his honour, having both engaged in it upon unjust grounds, and managed it all along with ill conduct, and bad success; and now he got out of it in so poor and so dishonourable a manner, that with it he lost his credit both at home and abroad. Yet he felt little of all this. He and his brother were now at their ease. Upon this the parliament was quickly prorogued: and the court delivered itself up again to its ordinary course of sloth and luxury†: but lord Arlington, who had brought all this about, was so entirely lost by it, that though he knew too much of the secret to be ill used, yet he could never recover the ground he had lost.

The duchess of York came over that winter; she was then very young, about sixteen, but of a full growth. She was a graceful person, with a good measure of beauty, and so much wit and cunning, that during all this reign she behaved herself in so obliging a manner, and seemed so innocent and good, that she gained upon all that came near her, and possessed them with such impressions of her, that it was long before her behaviour, after she was a queen, could make them change their thoughts of her. So artificially did this young Italian behave herself, that she deceived even the eldest and most jealous persons, both in the court and country. Only sometimes a satirical temper broke out too much, which was imputed to youth and wit, not enough practised in the world. She avoided the appearances of a zealot, or a meddler in business, and gave herself up to innocent cheerfulness; and was universally esteemed and beloved, as long as she was duchess.

\* The conferences and transactions of this period relative to the peace, are very fully given in sir W. Temple's Works, i. 394, &c. The only additions to the peace of Breda were, that the Dutch should lower their topmasts to English ships of war, whether they were singly or in

fleets, and pay 300,000*l.* to the king towards paying the expenses of the war.

† The annunciation to the house of peace being signed, was on the 11th of February, 1674, and parliament was prorogued on the 24th of the same month.—Grey's Debates, ii. 413—454.



She had one put about her to be her secretary, Coleman, who became so active in the affairs of the party, and ended his life so unfortunately \*, that since I had much conversation with him, his circumstances may deserve that his character should be given, though his person did not. I was told he was a clergyman's son; but he was early caught by the Jesuits, and bred many years among them. He understood the art of managing controversies, chiefly that great one of the authority of the church, better than any of their priests. He was a bold man, resolved to raise himself, which he did by dedicating himself wholly to the Jesuits; and so he was raised by them. He had a great easiness in writing in several languages; and wrote many long letters, and was the chief correspondent the party had in England. He lived at a vast expense, and talked in so positive a manner, that it looked like one who knew he was well supported. I soon saw into his temper, and I warned the duke of it; for I looked on him as a man much more likely to spoil business, than to carry it on dexterously. He got into the confidence of P. Ferrier, the king of France's confessor, and tried to get into the same pitch of confidence with P. de la Chaise, who succeeded him in that post. He went about every where, even to the jails among the criminals, to make proselytes. He dealt much both in the giving and taking of bribes. But now the affairs of England were calmed, I look again to Scotland, which was yet in a storm.

The king wrote to duke Hamilton to come up; and when he and lord Tweeddale arrived, they were so well received, that they hoped to carry their point: but the king's design in this was, that, if he could have brought the house of commons to have given money, he was resolved to have parted with duke Lauderdale, and have employed them: and his kind usage of them was on design to persuade the commons to use himself better, by shewing that he was ready to comply with them. He gave them so good a hearing, that they thought they had fully convinced him; and he blamed them only for not complaining to himself of those grievances. But, as soon as he saw it was to no purpose to look for money from the house of commons, and had signed the peace, he sent them down with full assurances that all things should be left to the judgment of the parliament. They came down through the greatest fall of snow that has been in all my life-time. When they got home, instead of a session, there was an order for a prorogation; which gave such an universal discontent, that many offered at very extravagant propositions, for destroying duke Lauderdale and all his party. Duke Hamilton, who told me this some years after, when an act of grace was published, was neither so bad, nor so bold, as to hearken to these. The king wrote him a cajoling letter, desiring him to come up once more, and to refer all matters to him; and he assured him, he would make up all differences.

In the mean while duke Lauderdale took all possible methods to become more popular. He connived at the insolence of the presbyterians, who took possession of one of the vacant churches of Edinburgh, and preached in it for some months. The earl of Argyle and sir James Dalrymple were the men on whom the presbyterians depended most. Duke Lauderdale returned to his old kindness with the former; and lord Argyle was very ready to forget his late unkindness; so matters were made up between them. Dalrymple was the president of the session, a man of great temper, and of a very mild deportment, but a cunning man. He was now taken into the chief confidence †. He told the presbyterians, if they would now support duke Lauderdale, this would remove the prejudice the king had against them, as enemies to his service. This wrought on many of them.

What influence soever this might have on the presbyterians, the strange conduct with relation to them provoked the clergy out of measure. Some hot men, that were not preferred as they thought they deserved, grew very mutinous, and complained that things were

\* Executed for being concerned in the Popish Plot.

† Sir James Dalrymple was the seventh baron, and first viscount, Stair. He was born in 1619. During the civil war he took up arms with the parliament, but appears soon to have disapproved of their proceedings, for he speedily retired from the army, and obtained the professorship of philosophy at Glasgow. At the restoration he was particularly honoured, being created a baronet, a member of the college of justice, and then baron Stair. In 1671, he

was appointed president of the court of session, but objecting most earnestly against the cruelties practised there, he was dismissed from office, and retired to the Hague. He here became a favourite with the prince of Orange, who, as soon as he became king of England, restored him to his place as a judge, and made him a viscount. He died in 1695. He published "An Apology for his Own Conduct."—Gen. Bio. Dict.

let fall into much confusion. And they raised a grievous outcry for the want of a national synod, to regulate our worship and government: and so moved in the diocesan synods, that a petition should be offered to the privy council, setting forth the necessity of having a national synod. I liked no part of this. I knew the temper of our clergy too well to depend much on them; therefore I went out of the way on purpose when our synod was to meet. Petitions were offered for a national synod, which was thought an innocent thing: yet, it being done on design to heighten the fermentation the kingdom was in, great exceptions were taken to it. One bishop and four of the clergy were turned out by an order from the king, pursuant to the act asserting the supremacy. After a year, upon their submission, they were restored. Though I was not at all concerned in this, (for I was ever of Nazianzen's opinion, who never wished to see any more synods of the clergy) yet the king was made believe, that I had laid the whole matter, even though I did not appear in any part of it.

Another disorder broke out, which had greater effects. A cause being judged in the supreme court of session, the party appealed to the parliament. This was looked on as a high contempt, done on design to make the parliament a court of judicature, that so there might be a necessity of frequent parliaments. So the judges required all the lawyers to condemn this, as contrary to law. And they had the words of a law on their side: for there lay no such appeal as stopped process, nor was there a writ of error in their law; but upon petitions, parliaments had, though but seldom, reviewed and reversed the judgments of the courts. So the debate lay about the sense of the word "appeal." Sir George Lockhart, brother to the ambassador, was the most learned lawyer, and the best pleader I have ever yet known in any nation; and he had all the lawyers almost in a dependence on him. He was engaged with the party, and resolved to stand it out. The king sent down an order to put all men from the bar that did not condemn appeals: and, when that wrought not on them, they were by proclamation banished Edinburgh, and twelve miles about it: and a new day was assigned them for making their submission: the king, in a very unusual style, declaring, on the word of a prince, that if they submitted not by that day, they should never be again admitted to their practice. They stood it out, and the day lapsed without their submitting. Yet afterwards they renounced appeals in the sense of the Roman law; and, notwithstanding the unusual threatening in the proclamation, they were again restored to practice: but this made a stop for a whole year in all legal proceedings\*.

The government of the city of Edinburgh was not so compliant as was expected. So duke Lauderdale procured a letter from the king to turn out twelve of the chief magistrates, and to declare them for ever incapable of all public trusts; so entirely had he forgotten his complaints formerly made against incapacity, even when passed in an act of parliament. The boroughs of Scotland have, by law, a privilege of meeting once a year in a body, to consider of trade, and of by-laws relating to it. At a convention held this year a petition was agreed on, and sent to the king, complaining of some late acts that hindered trade, for the repeal of which there was great need of a session of parliament: they therefore prayed, that when the king sent down a commissioner to hold a session, he might be instructed in order to that repeal. This was judged a legal thing by the lawyers there: for this was a lawful assembly: they did not petition for a parliament, but only for instructions to the session; yet it was condemned as seditious, and those who promoted it were fined and imprisoned for it. Thus duke Lauderdale was lifted up out of measure, and resolved to crush all that stood in his way. He was made earl of Guildford, in England, and had a pension of 3,000*l.*: and he let himself loose into a very ungoverned fury. When duke Hamilton and some other lords came up, the king desired they would put their complaints in writing. They said, the laws were so oddly worded, and more oddly executed, in Scotland, that the modestest paper they could offer might be condemned as leasing-making, and misrepresenting the king's proceedings; so they would not venture on it. The king promised them, that no ill use should be made of it to their prejudice; but they did not think it safe to trust him, for he seemed to be entirely delivered up to all duke Lauderdale's passions.

\* This act would stamp the despotic nature of Charles the Second, if all other evidence failed. He was determined not only that his will should be superior to the law, but that all lawyers should admit it to be so.

It is no wonder then that I could not stand before him, though at my coming up the duke of York received me with great kindness, and told me how he had got out of great difficulties, and added, that the king was very firm to him; he commended likewise his new duchess much: he was troubled at our disorders: he was firm to duke Lauderdale, but he would have endeavoured to reconcile matters, if there had been room for it. He told me the king was highly incensed against me; and was made believe, that I was the chief spring of all that had happened: he himself believed me more innocent; and said, he would endeavour to set me right with him; and he carried me to the king, who received me coldly. Some days after, when the duke was hunting, the lord chamberlain told me, he had orders to strike my name out of the list of the chaplains; and that the king forbade me the court, and expected I should go back to Scotland. The duke seemed troubled at this, and spoke to the king about it: but he was positive. Yet he admitted me to say to him what I had to offer in my own justification. I said all that I thought necessary, and appealed to duke Hamilton, who did me justice in it. But the king said, he was afraid I had been too busy, and wished me to go home to Scotland, and be more quiet. The duke upon this told me, that, if I went home without reconciling myself to duke Lauderdale, I should be certainly shut up in a close prison, where I might perhaps lie too long. This I looked on as a very high obligation; so I resigned my employment, and resolved to stay in England. I preached in many of the churches of London, and was so well received, that it was probable I might be accepted of in any that was to be disposed of by a popular election. So a church falling to be given in that way, the electors had a mind to choose me: but yet they were not willing to offend the court. The duke spoke to duke Lauderdale, and told him that he had a mind I should be settled in London, and desired he would not oppose it. Duke Lauderdale said, all this was a trick of the party in Scotland, to settle me, that I might be a correspondent between the factions in both kingdoms. Yet, upon the duke's undertaking that I should not meddle in those matters, he was contented that the king should let the electors know, he was not against their choosing me. Upon this duke Lauderdale, seeing what a root I had with the duke, sent a message to me, that, if I would promise to keep no farther correspondence with duke Hamilton, I should again be restored to his favour. I said I had promised the duke to meddle no more in Scotch affairs; but I could not forsake my friends, nor turn against them. By this he judged I was inflexible. So he carried a story to the king the very night before the election, that upon enquiry was found to be false, when it was too late to help what was done. Upon that the king sent a severe message to the electors. So I missed that. And sometime after a new story was invented, of which Sharp was indeed the author, by which the king was made believe, that I was possessing both lords and commons against duke Lauderdale. Upon that the king ordered Coventry to command me to leave London, and not to come within twenty miles of it. The duke told me what the particulars were, which were all false; for lord Falconbridge and lord Carlisle were the lords, into whom it was said I was infusing those prejudices. Now I was known to neither of them; for, though they had desired my acquaintance, I had declined it. So I told all this to secretary Coventry, who made report of it to the king in the duke's presence: and those lords justified me in the matter. I hoped the king would upon all this recall his order; but he would not do it: so I asked to have it in writing. The secretary knew it was against law, so he would not do it. But I was forbidden the court\*. The

\* When this subject was examined by the house of commons at the beginning of the year following, 1675, Mr. secretary Coventry gave a somewhat different version of what took place between himself and Burnet. He said he told the doctor that the king had received some ill impressions of him, for meddling with affairs which did not concern him, and therefore it was convenient for him to go out of town. Burnet desired to have an interview with his majesty; but Coventry declined this, though he consented to present any address he might choose to send; and Burnet accordingly wrote a petition, which was delivered. Burnet soon after wished to have the king's message in writing, but Coventry told him that he had had

no message direct from the king, even to forbid him the court; such a message would have come through the lord or the vice chamberlain, he only advised him to absent himself.—*Grey's Debates*, iii. 19.

Mr. Henry Coventry, who had the above conversation with Burnet, was the third son of the first earl of Coventry. He took a master's degree in arts at All Souls College, Oxford. He adopted a line of politics very different to that pursued by his younger brother, sir William. He suffered much for his adhesion to the king in the civil war. At the restoration, he was appointed a groom of the bedchamber. In 1664, he was sent envoy to Sweden, and remained there nearly two years. In 1667,



duke brought duke Lauderdale and me once together, to have made us friends ; but nothing would do, unless I would forsake all my friends, and discover secrets. I said, I knew no wicked ones ; and I could not break with persons, with whom I had lived long in great friendship. The duke spoke to the lord treasurer \*, to soften duke Lauderdale with relation to me, and sent me to him. He undertook to do it, but said afterwards, duke Lauderdale was intractable.

This violent and groundless prosecution lasted some months. And during that time I said to some, that duke Lauderdale had gone so far in opening some wicked designs to me, that I perceived he could not be satisfied unless I was undone. So I told what was mentioned before of the discourses that passed between him and me. This I ought not to have done, since they were the effects of confidence and friendship. But such a course of provocation might have heated a cooler and older man than I was, being then but thirty, to forget the caution that I ought to have used. The persons who had this from me resolved to make use of it against him, in the next session of parliament ; for which the earl of Danby and he were preparing, by turning to new methods.

Lord Danby set up to be the patron of the church party, and of the old cavaliers ; and duke Lauderdale joined himself to him. It was said the king had all along neglected his best and surest friends ; so a new measure was taken up, of doing all possible honours to the memory of king Charles the First, and to all that had been in his interests. A statue of brass on horseback, that had been long neglected, was bought, and set up at Charing Cross ; and a magnificent funeral was designed for him †. The building of St. Paul's, in London, was now set on foot with great zeal. Morley and some of the bishops were sent for, and the new ministry settled a scheme with them, by which it was offered to crush all the designs of popery. The ministers expressed a great zeal in this, and openly accused all the former ministers for neglecting it so long. But, to excuse this to the duke, they told him it was a great misfortune that the church party and the dissenters were now run into one ; that the church party must have some content given them ; and then a test was to be set on foot that should for ever shut out all dissenters, who were an implacable sort of people. A declaration renouncing the lawfulness of resistance in any case whatsoever, and an engagement to endeavour no alteration in church or state, was designed to be a necessary qualification of all that might choose or be chosen members of parliament. If this could be carried, the king's party would be for ever separated from the dissenters, and be so much the more united to him. In order to this, it was necessary to put out severe orders of council against all convicted, or suspected, papists. The duke acquainted me with this scheme. He disliked it much. He thought this would raise the church party too high. He looked on them as intractable in the point of popery. Therefore he thought it was better to keep them under, by supporting the papists. He looked on the whole project as both knavish and foolish. And upon this he spoke severely of duke Lauderdale, who he saw would do anything to save himself ; he had been all along in ill terms both with Sheldon and Morley ; but now he reconciled himself to them : he brought Sharp out of Scotland, who went about assuring all people that the party set against him was likewise set against the church. This, though notoriously false, passed for true among strangers. And Leighton coming up at the year's end to quit his archbishopric of Glasgow, Burnet had made such submissions

he was our ambassador at Breda, and had a considerable influence in breaking the Triple Alliance. In 1671, he was again ambassador in Sweden, and, returning the following year, was made secretary of state. Mr. speaker Onslow considered him the only honest minister employed by the king after Clarendon's removal. In 1679, he retired from office, as the Gazette announced, "on account of his infirmity of body," and entirely against the wish of the king. He never again accepted employment. He died in 1686, aged sixty-eight.—Grainger's Biog. Hist. vi. 125; Oxford ed. of Burnet's Hist.

\* Sir Thomas Osborne, earl of Danby and afterwards duke of Leeds.

† This statue was cast in 1633, by Le Sourd, for the earl of Arundel ; but it was not erected until about 1678,

when it was placed on its present pedestal, the work of Grinlyn Gibbons. The parliament had ordered it to be sold and broken to pieces ; but John Rivet, a brazier, living near the Dial, Holborn Conduit, who was the purchaser, buried it unutilized, and showed some fragments of brass as tokens of his obedience. M. d'Archenholz relates, that this brazier cast a vast number of knife and fork handles, and sold them as made of the broken statue. They were bought by loyalists from affection to their monarch, and by the parliamentarians as a mark of triumph. The statue was placed in its present situation by an order from the earl of Danby.—Archenholz's Tableau d'Angleterre, i. 163; Pennant's London, 93; Walpole's Anecdotes, ii. 248.

that he was restored to it\*. So that wound which had been given to episcopacy in his person was now healed. And Leighton retired to a private house in Sussex, where he lived ten years in a most heavenly manner, and with a shining conversation. So now duke Lauderdale was at the head of the church party.

The court was somewhat disturbed with discoveries that were made at this time. When sir Joseph Williamson came back from Cologne, he secretly met with Wicquefort, who has published a work about ambassadors†. He was the Dutch secretary that translated the intelligence that came from England. And sometimes the originals were left in his hands. Williamson prevailed with him to deliver these to him. Most of them were written by the lord Howard's brother, who upon his brother's death was afterwards lord Howard. He was a man of wit and learning, bold and poor, who had run through many parties in religion. In Cromwell's time he was rebaptised, and had preached in London. He set up in opposition to Cromwell, as a great commonwealth's man, and did some service in the Restoration. But he was always poor, and ready to engage in anything that was bold. He went over in the beginning of the war, and offered to serve De Wit. But he told me he found him a dry man. As soon as the prince was raised, he waited on him and on Fagel; and undertook not only to send them good intelligence, but to make a great party for them. He pressed the prince to make a descent on England, only to force the king to call a parliament, and to be advised by it. And he drew such a manifesto as he believed would be acceptable to the nation. He, and one of the Du Moulins that was in lord Arlington's office joined together, and gave the States very good intelligence. Du Moulin, fearing that he was discovered, took the alarm in time and got beyond sea. Most of the papers that Wicquefort delivered were of Howard's writing. So upon his examination in the Tower, it appeared they had his letters against him. And, when notice was sent of this to Holland, Wicquefort was called on to bring before them all the original letters that were trusted to him; and, upon his not doing it, he was clapped up. And the States sent word to the king, that if any person suffered in England on the account of the letters betrayed by him, his head should go for it. Halewyn told me, when it was put to the judges to know what sort of crime this could be made, since the papers were given up after the peace was concluded, (otherwise the betraying the secrets of the state to enemies was a manifest crime), they came to this resolution, that as by the Roman law everything was made capital that was *contra salutem Populi Romani*, so the delivering up such papers was a capital crime. This threatening saved Howard‡. But yet Wicquefort was kept very long in prison, and ruined by it. He had a sort of a character from one of the princes of Germany, upon which he insisted. But the States thought that his coming into their service was the throwing up of that character. Upon this occasion Carstairs, mentioned in the year 1672, was sent over from Holland to England. And he was seized on with a paper of instructions that were drawn so darkly, that no wonder if they gave a jealousy of some ill designs then on foot. The prince said, when asked about it, that it was only meant for a direction for carrying on the levies of some regiments, that the king had allowed the Dutch to make in Scotland, which the king did the better to excuse his letting so many continue in the French service. However, mention being made of money to be paid and of men to be raised, and a compliment being ordered to be made to duke Hamilton, this looked suspicious. Howard had confessed all he knew upon promise of pardon. So that, and this, laid together, gave the court some apprehensions. Duke Lauderdale made use of it to heighten the king's ill opinion of the party against him. And, because lieutenant-general Drummond was, of all the military men, he that had the best capacity and the greatest reputation, he moved that he might be

\* This prelate was no relation to our author.

† Abraham de Wicquefort wrote two works upon the duties of ambassadors—"L'Ambassadeur et ses fonctions," and "Mémoires touchant les ambassadeurs et les ministres publics." For thirty-two years he had been resident-minister of the elector of Brandenburg, but at the end of that time was committed to the Bastille for communicating intelligence to his native country, Holland. When released, De Wit employed him to write the History of the Seven United Provinces; but before he had

completed it he was seized and condemned to imprisonment for life for betraying state secrets, as will be immediately noticed. In 1679 he escaped, and found a protector in the duke of Zell. His "*Histoire des Provinces Unies des Pays-Bas, &c.*" is an excellent and authentic work.—Morel's Hist. Diet.

‡ This thoroughly base man was the chief evidence against his friends, Algernon Sidney and lord W. Russell, whom he betrayed

secured. The method he took in doing it showed, that he neither suspected him, nor regarded the law. The ancient method was to require men to render themselves prisoners by such a day. This was a snare to many, who, though innocent, yet hating restraint, went out of the way, and were proceeded against by an outlawry; but an act of parliament had been made condemning that method for the future. Yet duke Lauderdale resolved to follow it. And Drummond, knowing his innocence, rendered himself as required; and was kept a year in a very cold and inconvenient prison at Dunbarton, on the top of a high rock. This, coming after a whole life of loyalty and zeal, was thought a very extraordinary reward for such high pretensions.

One thing on this occasion may be fit to be told. Lord Kincardine had served duke Lauderdale faithfully, even longer than he could do with a good conscience; for he had stuck to him, and was left by him with the king, when he went to Scotland, who knew well with how much zeal he had supported his interest, and excused his faults. When duke Lauderdale was hotly pushed at, he then promised to all his friends that he would avoid all former errors, if he got out of his trouble; and that made lord Kincardine so earnest to serve him. But, when he saw into how much fury he was running, he tried to have persuaded him to more temper, but found it was in vain. Then he confessed to me that I had judged truer than he had done; for I believed he would grow worse than ever. When lord Kincardine found he could not hinder things in private, he opposed them in council, and so they broke with him. He came up to justify himself to the king, who minded those matters very little; but thought it was necessary to give a full scope to duke Lauderdale's motions, who had told the king there was a spirit of rebellion that run through all sorts of people, and that was to be subdued by acts of power, though perhaps neither legal nor just; and when that evil spirit was once broken, then it would be fit to return to more legal and moderate counsels. So lord Kincardine found there was no arguing with the king upon particulars. Therefore he begged leave to stay some time at court, that he might not be obliged to oppose that which the king was made believe his service required. The king consented to this, and upon all occasions used him very well. Duke Lauderdale could not bear that, and pressed the king often to command him home; which he refused to do. Once he urged it with great vehemence; and the king answered as positively, that he saw no reason for it, and he would not do it. Upon this he came home as in a fit of distraction, and was gathering together all his commissions to deliver them up to the king. Upon that the marquis of Athol, who was then in high favour with him, went to the king, and told him that he had sent duke Lauderdale home half dead and half mad; and begged the king to take pity on him. So the king sent a message to lord Kincardine, ordering him to go home. This lord Athol himself told me afterwards.

Towards the end of summer the battle of Seneff was fought, in the beginning of which the French had a great advantage; but the prince of Condé pushed it too far: and the prince of Orange engaged the whole army with so much bravery, that it appeared that the Dutch army was now brought to another state than he had found it in. He charged himself in many places, with too great a neglect of his person, considering how much depended upon it. He once was engaged among a body of French, thinking they were his own men, and bid them charge; they told him they had no more powder; he, perceiving they were none of his men, with great presence of mind got out of their hands, and brought up a body of his army to charge them, who quickly routed them. The action in the afternoon recovered the loss that was made in the morning, and possessed all the world, the prince of Condé in particular, with a great esteem of the prince's conduct and courage. I will say little of foreign affairs, because there are many copious accounts of them in print, and I can add little to them. With relation to the battle of Seneff, the prince himself told me, that the day before, he saw a capuchin that came over from the French army, and had a long conversation with Zouch, the emperor's general, who behaved himself so ill on the day of battle, that the prince said to his son at night, that his father had acted so basely, that, if it had not been for the respect he bore the emperor, he would have shot him through the head. He was disgraced on this. But the success of the campaign was lost by it. They had a noble army, and might have done much more than they did. Grave was retaken in the end of



the campaign. So the Provinces were now safe on that side. And the prince had gained so much credit with the States, that he was now more than ever the master of their counsels.

The alarm that those discoveries from Holland gave our court, made lord Arlington offer at one trial more for recovering the king's confidence. He offered to go over to Holland with the earl of Ossory, for they fancied they had a great interest in the prince, by their having married two of Bevervardt's daughters; and the prince had always a particular affection to lord Ossory. Lord Arlington said he would go to the bottom of everything with the prince, and did not doubt but he would bring him into an entire dependence on his uncle, and particularly dispose him to a general peace; on which the king was much set, it being earnestly desired by the French. It was likewise believed, that he had leave to give the prince the hope of marrying her whom he afterwards married. The duke told me he knew nothing of the matter: he had heard lord Arlington had talked as if the managing that was his chief errand; and upon that he had asked the king, who assured him that he had a positive order not so much as to speak of that matter. Yet, whether notwithstanding this he had a secret order, or whether he did it without order, he certainly talked a great deal of it to the prince, as a thing which he might depend on, if he would in all other things be governed by the king.

Sir William Temple had been sent over the summer before as ambassador; and his chief instructions were to dispose all people's minds, chiefly the prince's, to a peace. But the prince had avoided the seeing him till the end of the campaign. Lord Arlington had thrown him off when he went into the French interest, and Temple was too proud to bear contempt, or forget such an injury soon. He was a vain man, much blown up in his own conceit, which he showed too indecently on all occasions. He had a true judgment in affairs, and very good principles with relation to government, but in nothing else. He seemed to think that things are as they were from all eternity; at least he thought religion was fit only for the mob. He was a great admirer of the sect of Confucius in China, who were atheists themselves, but left religion to the rabble. He was a corrupter of all that came near him. And he delivered himself up wholly to study ease and pleasure\*. He entered into a close friendship with lord Danby, who depended much on him; and was directed in all his notions as to foreign affairs by him; for no man ever came into the ministry that understood the affairs of Europe so little as he did.

\* Of all the characters drawn by our author, this of sir William Temple is the most unfair and exaggerated. That he was very vain is generally acknowledged; but, instead of our regretting this, we may justly agree with Grainger, that it is a happy circumstance for his readers, that so polite and learned a writer was also a vain one; for, like Montaigne, his vanity prompted him to dwell upon the affairs in which he was concerned. Even Burnet acknowledges his fidelity as an historian. The charge against him of being an atheist is totally without foundation—all other writers but Burnet, whether writing to disparage or to praise him, speak in very different terms of his religious opinions. It is true, he was no bigot, and declares he "never could understand how those who call themselves, and the world usually calls, *religious men*, come to put so great weight upon those points of belief, which men never have agreed in, and so little upon those of virtue and morality, in which they have hardly ever disagreed," and "since," as he observes in a preceding paragraph, "the great and general end of all religion, next to man's happiness hereafter, is their happiness here; as appears by the commandments of God, being the best and greatest moral and civil, as well as divine, precepts that have been given to a nation."—(Temple's Works, i. 55. fol.) As an ambassador and statesman he is above reproach of any kind; and as a man, though having his share of human weakness, yet his honour, integrity, and kindness of heart, have never been impeached. He was born in 1628; from Cambridge travelled on the continent until the Restoration, when he returned, became a mem-

ber of the Irish Parliament, and in 1665 obtained his first official employment, being sent to Munster. He was the chief means of obtaining the Triple Alliance between England, Sweden, and Holland, for the maintenance of the protestant cause in Europe; and, as resident at the Hague, promoted the marriage of the prince of Orange with our princess Mary, that was ultimately so instrumental in preserving our religion and constitution. In 1679 he was absolutely compelled, by the king's urgency, to accept the office of secretary of state, but resigned it the following year, and retired to his seat of Moor Park, near Farnham, and passed the remainder of his life there in that rural retirement and literary ease which he always loved. He died in 1700, and his heart, according to directions in his will, was buried in a silver box beneath a sun-dial in his garden, opposite the window from whence he was accustomed to contemplate the beauties of nature. Nor was this, as the editor has elsewhere observed, an unphilosophical clinging to that which it was impossible to retain; but rather a result of that grateful feeling common to our nature, of desiring finally to repose where in life we have been happy. As an author few men have been so generally admired, and in the character of an essayist and historian he is equally excellent. Whoever wishes for a faithful and full narrative of the political transactions of this period, will find no work that will better gratify his desire than sir W. Temple's "*Memoirs*."—Life prefixed to his works; Biograph. Britan.; and a Life of him, lately published.

I will henceforth leave the account of our affairs beyond sea wholly to Temple's Letters, in which they are very truly and fully set forth. And in them it appears, that the prince of Orange, even while so young, and so little practised in affairs, had so clear and so just a view of them, that nothing could misguide him; and that the bad prospect he had from the ill condition of affairs did not frighten him into accepting of any mean or base conditions of peace. His fidelity to his country, and the public interest, was so firm, that no private considerations of his own could bias him, or indeed be much considered by him. These letters give him a character that is so sublime, as well as so genuine, that it raises him much above all the performances of rhetoric or panegyric. I will mention very little that is to be found in them. Holland was in great expectation, when they saw two such men as the earls of Ossory and Arlington come over, together with the earl of Danby's eldest son, though the last only made the show a little greater. Lord Arlington for some days insisted vehemently on the prince's dismissing Du Moulin, who had discovered the secrets of his office to him. In this the prince complied, and Du Moulin was sent to one of their plantations. As to all other things, lord Arlington talked to him in the strain of a governor; and seemed to presume too much on his youth, and on his want of experience. But instead of prevailing on the prince, he lost him so entirely, that all his endeavours afterwards could never beget any confidence in him. So he came back, and reckoned this was his last essay, which succeeding so ill, he ever after that withdrew from all business. He made himself easy to the king, who continued to be still very kind to him.

At Easter a piece of private news came from France, which the duke was much delighted with, because it did an honour to the order of the Jesuits, to whom he had devoted himself. The new confessor had so pressed the king of France in Lent to send away his mistress, Montespan, that he prevailed at last. She was sent to a nunnery. And so the king received the sacrament, as was said, in a state of contrition. This was written to the duke, and set out with such circumstances as the French usually do everything that relates to their king. The duke was much pleased with it. He told me, he had related it with all its circumstances to the king, in the duchess of Portsmouth's hearing; and said, they both heard it with great uneasiness, and were much out of countenance at it. The duke himself was then in the best temper I had ever known him in. He was reading Nurembergius, "Of the Difference of things Temporal and things Eternal;" and we had much good discourse on that subject. Lord Arlington ran so much in his mind, that he once said to me, if lord Arlington would read that book he would not meddle in so many affairs as he did. I saw he was very jealous of him, and of his interest in the king. Thus I have given a full account of my acquaintance with the duke.

I lost his favour soon after this. For in April, 1675, a session of parliament was held, as preparatory to one that was designed next winter, in which money was to be asked; but none was now asked, it being only called to heal all breaches, and to beget a good understanding between the king and his people. The house of commons fell upon duke Lauderdale. And those who knew what had passed between him and me, moved that I should be examined before a committee. I was brought before them. I told them how I had been commanded out of town. But though that was illegal, yet, since it had been let fall, it was not insisted on. I was next examined concerning his design of arming the Irish papists. I said, I, as well as others, had heard him say, he wished the presbyterians in Scotland would rebel, that he might bring over the Irish papists to cut their throats. I was next examined concerning the design of bringing a Scotch army into England. I desired to be excused as to what had passed in private discourse; to which I thought I was not bound to answer, unless it were high treason. They pressed me long, and I would give them no other answer. So they all concluded that I knew great matters, and reported this specially to the house. Upon that I was sent for and brought before the house. I stood upon it as I had done at the committee, that I was not bound to answer; that nothing had passed that was high treason; and as to all other things, I did not think myself bound to discover them. I said farther, I knew duke Lauderdale was apt to say things in a heat, which he did not intend to do. And, since he had used myself so ill, I thought myself the more obliged not to say anything that looked like revenge for what I had met with from him. I was brought four

times to the bar. At last I was told, the house thought they had a right to examine into everything that concerned the safety of the nation, as well as into matters of treason; and they looked on me as bound to satisfy them; otherwise they would make me feel the weight of their heavy displeasure, as one that concealed what they thought was necessary to be known. Upon this I yielded, and gave an account of the discourse formerly mentioned. They laid great weight on this, and renewed their address against duke Lauderdale\*.

I was much blamed for what I had done. Some, to make it look the worse, added, that I had been his chaplain, which was false; and that I had been much obliged to him, though I had never received any real obligation from him, but had done him great services, for which I had been very unworthily requited. Yet the thing had an ill appearance, as the disclosing what had passed in confidence: though I make it a great question how far even that ought to bind a man, when the designs are very wicked, and the person continued still in the same post and capacity of executing them. I have told the matter as it was, and must leave myself to the censure of the reader. My love to my country, and my private friendships, carried me perhaps too far; especially since I had declared much against clergymen meddling in secular affairs, and yet had run myself so deep in them.

This broke me quite with the court, and in that respect proved a great blessing to me. It brought me out of many temptations: the greatest of all being the kindness that was growing towards me from the duke, which might have involved me into great difficulties, as it did expose me to much censure; all which went off upon this occasion. And I applied myself to my studies and my function, being then settled preacher at the Rolls, and soon after lecturer of St. Clements. I lived many years under the protection of sir Harbottle Grimstone, master of the Rolls, who continued steady in his favour to me, though the king sent secretary Williamson to desire him to dismiss me. He said he was an old man, fitting himself for another world, and he found my ministry useful to him: so he prayed that he might be excused in that. He was a long and very kind patron to me. I continued ten years in that post, free from all necessities; and I thank God that was all I desired. But, since I was so long happy in so quiet a retreat, it seems but a just piece of gratitude that I should give some account of that venerable old man.

He was descended from a long-lived family: for his great-grandfather lived till he was ninety-eight, his grandfather to eighty-six, and his father to seventy-eight, and himself to eighty-two. He had to the last a great soundness of health, of memory, and of judgment. He was bred to the study of the law, being a younger brother. Upon his elder brother's death he threw it up. But falling in love with judge Crook's daughter, the father would not bestow her on him, unless he would return to his studies; which he did with great success. That judge was one of those who delivered his judgment in the exchequer chamber against the ship money, which he did with a long and learned argument†. And sir Harbottle's father, who served in parliament for Essex, lay long in prison, because he would not pay the loan money. Thus both his family and his wife's, were zealous for the interest of their country. In the beginning of the long parliament he was a great asserter of the laws; and inveighed severely against all that had been concerned in the former illegal oppression. His principle was, that allegiance and protection were mutual obligations; and that the one went for the other. He thought the law was the measure of both: and that when a legal protection was denied to one that paid a legal allegiance, the subject had a right to defend himself. He was much troubled when preachers asserted a divine right of regal government. He thought it had no other effect but to give an ill impression of them as aspiring men: nobody was convinced by it; it inclined their hearers rather to suspect all they said besides; it looked like the sacrificing their country to their own preferment; and an encouraging of princes to turn tyrants. Yet when the Long parliament engaged in the league with Scotland, he would not swear to the covenant. And he discontinued sitting in the house till it was laid aside. Then he came back and joined with Hollis and the other presbyterians, in a

\* Grey, who was a member of the parliament, gives a similar account.

† Sir George Crook at first hesitated, but his wife, a

daughter of sir Thomas Bennet, persuaded him nobly to dare to do right, whatever might follow.—Johnson's *Life of Selden*, 221.



high opposition to the independents, and to Cromwell in particular, as was told in the first book. And he was one of the secluded members that were forced out of the house. He followed afterwards the practice of the law, but was always looked upon as one who wished well to the ancient government of England. So he was chosen speaker of that house that called home the king, and had so great a merit in that whole affair, that he was soon after, without any application of his own, made master of the Rolls: in which post he continued to his death with a high reputation, as he well deserved. For he was a just judge; very slow, and ready to hear everything that was offered, without passion or partiality. I thought his only fault was, that he was too rich: and yet he gave yearly great sums in charity, discharging many prisoners by paying their debts. He was a very pious and devout man, and spent every day at least an hour in the morning, and as much at night, in prayer and meditation. And even in winter, when he was obliged to be very early on the bench, he took care to rise so soon, that he had always the command of that time which he gave to those exercises. He was much sharpened against popery, but had always a tenderness to the dissenters, though he himself continued still in the communion of the church\*. His second wife, whom I knew, was niece to the great sir Francis Bacon, and was the last heir of that family. She had all the high notions for the church and the crown, in which she had been bred; but was the humblest, the devoutest, and best tempered person that I ever knew of that sort. It was really a pleasure to hear her talk of religion, she did it with so much elevation and force. She was always very plain in her clothes: and went oft to jails, to consider the wants of the prisoners, and relieve or discharge them; and by the meanness of her dress, she passed but for a servant trusted with the charities of others. When she was travelling in the country, as she drew near a village, she often ordered her coach to stay behind till she had walked about it, giving orders for the instruction of the children, and leaving liberally for that end. With two such persons I spent several of my years very happily. But I now return to the session of parliament.

In the house of commons the business against duke Lauderdale was taken up warmly at three several times; and three several addresses were made to the king against him. The king's answer was, that he would protect no man against law and justice; but would condemn none without special matter well made out. There was no money offered, so addresses were feeble things. The next attempt was against the earl of Danby, who had begun to invert the usual methods of the exchequer. But the majority were for him, so that charge came to nothing. Only those who began it formed a party against him, that grew in conclusion to be too hard for him. He took a different method from those who were in the ministry before him. They had taken off the great and leading men, and left the herd as a despised company, who could do nothing, because they had none to head them. But lord Danby reckoned that the major number was the surer game, so he neglected the great men, who he thought raised their price too high; and reckoned that he could gain ten ordinary men cheaper than one of those. This might have succeeded with him if they that did lead his party had been wise and skilful men. But he seemed to be jealous of all such, as if they might gain too much credit with the king. The chief men that he made use of were of so low a size, that they were baffled in every debate. So that many who were inclined enough to vote in all obedience, yet were ashamed to be in the vote on the side that was manifestly run down in the debate†.

The ablest man of his party was Seymour, who was the first speaker of the house of commons that was not bred to the law. He was a man of great birth, being the elder branch of the Seymour family; and was a graceful man, bold and quick: but he had a sort of pride

\* To the above character of Sir Harbottle Grimston nothing can be added; nor does it appear, from other authorities, that anything need be abated. He was born at Bradfield Hall, near Manningtree, in Essex; studied the law at Lincoln's Inn; represented Harwich and Colchester in parliament; and was recorder of the last named town. His other public employments are mentioned in other pages. (Biog. Brit.; Morant's Hist. of Colchester; Wood's Athenæ Oxon.)

† The debates upon the charges against the Earl of Danby are very fully given by Grey, and whoever reads them will probably conclude, as the majority of the house did, that the articles of the proposed impeachment were not substantiated. Marvell, the satirist, says he got off by profuse bribing; but assertion is not proof, and this is altogether wanting in every one of the authorities the editor has consulted upon this subject.

so peculiar to himself, that I never saw any thing like it. He had neither shame nor decency with it. He was violent against the court, till he forced himself into good posts. He was the most assuming speaker that ever sat in the chair. He knew the house, and every man in it so well, that by looking about he could tell the fate of any question. So, if any thing was put, when the court party was not well gathered together, he would have held the house from doing any thing, by a wilful mistaking, or mis-stating, the question. By that he gave time to those who were appointed for that mercenary work, to go about and gather in all their party; and he would discern when they had got the majority. And then he would very fairly state the question, when he saw he was sure to carry it\*.

A great many of the court grew to be so uneasy, especially when they saw the king was under the influence of French and popish counsels, that they were glad to be out of the way at critical times. On some occasions they would venture to vote against the court; of which the memorable answer of Hervey's, who was treasurer to the queen, was a noted instance. He was one whom the king loved personally; and yet upon a great occasion he voted against that which the king desired. So the king chid him severely for it. Next day, another important question falling in, he voted as the king would have him. So the king took notice of it at night, and said, you were not against me to-day. He answered, "No, Sir; I was against my conscience to-day." This was so drily delivered, that the king seemed pleased with it: and it was much talked of†. While things went thus in the house of commons, there was the greatest and longest debate in the house of lords, that has been in all my time. They sat upon it often till midnight.

It was about the test that lord Danby had contrived, as was formerly mentioned. Lord Danby, and lord Finch, and some of the bishops, were the chief arguers for it. They said, it was necessary that a method should be found out to discriminate the good subjects from the bad: we had been lately involved in a long civil war, occasioned by the ill principles

\* Sir Edward Seymour, the fifth of that name in lineal succession, was born in 1633. From the time of his first appearance in parliament, as a representative of the city of Exeter, he became a very prominent member. In 1667 he was the chief promoter of the Earl of Clarendon's impeachment. In 1673 he was unanimously chosen speaker, on the resignation, for assumed ill-health, of Sir Job Charlton. Immediately afterwards he was made treasurer of the navy, a kind of retainer in the interest of the court, that is not very commendable in the speaker of the popular branch of the legislature. His future career will appear in the course of this work. The last official appointment he enjoyed was that of comptroller of the household to queen Anne. From this he was dismissed in 1704. He still continued to appear in parliament until his death in 1708. He was buried at Maiden Bradley, where there is a very beautiful monument erected to his memory. Grainger's Biog. Dict. vi. 128, ed. 1824.

The earl of Dartmouth has preserved an anecdote of him fully illustrating Burnet's remark upon "his peculiar pride." His coach breaking down near Charing Cross, he ordered the beadles to stop the next gentleman's they met, and bring it to him. The gentleman expostulated at being turned out of his own coach, but sir Edward told him it was more fitting for him to walk in the streets than the speaker of the commons, and left him in that condition without further apology.—Oxford ed. of this work.

Mr. Noble has accurately described him as a man of morose disposition, but of great good sense, invincible obstinacy, and incorruptible integrity; feared more than loved, and respected more than esteemed. The wags were pleased when they could annoy this impersonation of pride and haughtiness. One gave him a petition of no moment, to present to the house; Seymour took it from his pocket with his accustomed gravity, and putting on his spectacles, began to read:—"The humble petition of Oliver Cromwell—the devil!" The laugh was so loud and long, that the old man, throwing down the paper, hastened from

the house, confused and in wrath at the insult to his dignity. Every Englishman, though he laughs at his peculiarities, must love his virtues, and venerate him as the man to whom we are principally indebted for the Habeas Corpus Act. Temperate in the use of wealth, he was frugal, yet liberal in his expenditure; nor did he enrich himself and his family as he might have done. Proud of his ancestry, and haughty as he was, yet he would not accept a barony from queen Anne; but he permitted the eldest son of his second marriage to take the title of Conway, whose descendants now possess one of the old Seymour titles, the marquise of Hertford. In private life he was worthy, if not amiable; true to his two wives: and to his children careful, if not kind; to his tenants and attendants a good, though not bountiful landlord and master. His eldest son and heir, sir Edward Seymour, was father of Edward, the eighth duke of Somerset, who succeeded to this title by the extinction of the male descendants of the first duke, the protector Somerset, by his second marriage; who, to gratify the inordinate pride of his second wife, procured his title to go to her posterity; but she "condescended" that the children of his first marriage should be placed in the limitation, which, after two hundred years, now reverted to them.—Noble's Continuation of Grainger, li. 169.

† John Hervey was the eldest son of sir William Hervey, of Ickworth, in Suffolk. In the reign of the first Charles, he appeared both in parliament and in the field on the side of the prerogative. In the reign of the second Charles, he was treasurer and receiver-general to the queen. Throughout his life he was a leading member in the house of commons. He was learned and accomplished, and would deserve respect if he had no other merit than being the friend and patron of the poet Cowley. He died in 1679, and, having no issue, his property descended to his brother Thomas, father of the first earl of Bristol.—Grainger's Hist. v. 106.

that some had taken up with relation to government : it was fit to prevent the return of such miseries. The king had granted a very full indemnity, and had observed it religiously ; but there was no reason, while so much of the old leaven still remained, to leave the nation exposed to men of such principles : it was not fit to make a parliament perpetual ; yet that was a less evil than to run the hazard of a bad election, especially when jealousies and fears had been blown about the nation : a good constitution was to be preserved by all prudent methods. No man was to be pressed to take this test ; but, as they, who were not willing to come into such an engagement, ought to have the modesty to be contented with the favour and connivance of the government, so, if that did not teach them good manners, it might be fit to use severer methods. To all this great opposition was made. It was plain, the duke did not like it ; but the king was so set on it, that he did not declare himself against it : but all the papists were against it. They thought the bringing any test in practice would certainly bring on one that would turn them out of the house. The lords Shaftesbury, Buckingham, Hollis, Halifax, and all those who were thought the country party, opposed this mightily. They thought there ought to be no tests beyond the oath of allegiance, upon the elections to parliament ; that it being the great privilege of Englishmen, that they were not to be taxed but by their representatives ; it was therefore thought a disinheriting men of the main part of their birthright, to do any thing that should shut them out from their votes in electing : all tests in public assemblies were thought dangerous, and contrary to public liberty ; for if a parliament thought any law inconvenient for the good of the whole, they must be supposed still free to alter it ; and no previous limitation could bind up their legislature. A great deal was said, to shew that the peace of the world was best secured by good laws, and good government ; and that oaths or tests were no security : the scrupulous might be fettered by them, yet the bulk of the world would boldly take any test, and as boldly break through it ; of which the late times had given large proofs. The matter of this test was very doubtful ; for, though generally speaking, the king's person and his power were not to be distinguished, yet that was not universally true : an infant king, or a lunatic, were exceptions ; as also a king in his enemies' hands, which was the case of Henry the Sixth, for whose power his own party fought even against his person : so an exception was to be understood ; otherwise the proposition, that affirmed it was a traitorous position to separate them, was not true ; nor could it be reasonable to bind up men against alterations : every new law was an alteration ; it was not easy to define how far the power of making alterations might go, and where it must stop. These things were best left at large. Upon the whole matter, as they were against any parliamentary test, so they were more particularly against this. Lord Shaftesbury distinguished himself more in this session than ever he had done before. He spoke once a whole hour, to shew the inconvenience of condemning all resistance upon any pretence whatsoever. He said, it might be proper to lay such ties upon those who served in the militia, and in corporations, because there was still a superior power in parliament to declare the extent of the oath : but it might be of very ill consequence to lay it on a parliament, since there might be cases, though so far out of view, that it was hard to suppose them, in which he believed no man would say it was not lawful to resist. If a king would make us a province, and tributary to France, and subdue the nation by a French army, or to the papal authority, must we be bound in that case tamely to submit ? Upon which he said many things, that did cut to the quick. And yet, though his words were watched, so that it was resolved to have sent him to the Tower if any one word had fallen from him that had made him liable to such a censure, he spoke both with so much boldness and so much caution, that though he provoked the court extremely, no advantage could be taken against him. The court carried every question in favour of the test, though with great opposition, and a protestation made upon every step that was carried. So that the bill was in a fair way to have passed ; and very probably it would have passed in the house of commons, when by an unlooked-for emergency the session was broken.

Ever since the end of king James the First's reign, petitions of appeal were brought to the house of lords from decrees in chancery. This rose from a parity of reason, because writs of error lay from the courts of law to the house of lords ; and since the business of the chancery grew to be so extended and comprehensive, it was not thought safe to leave it



wholly to the lord chancellor's conscience. So this practice, though so lately begun, grew on by degrees to be the main business of the house of lords. A petition of appeal was brought against a member of the house of commons\*. The lords received it, and made an order upon it. The member being served with it, brought it into the house of commons; and they voted it a breach of privilege for the lords to meddle with one of their house. The lords on the other hand said, they were bound to do justice to all; and no privilege could lie against that; and, since they never sat but when the commons sat likewise, if a privilege from that house could stop their proceedings, there must be a failure in justice; and, since no privilege was ever pretended in the case of a writ of error, it could not lie against an appeal: so they resolved to proceed in the cause. The commons passed a vote against any lawyers that should plead at the lords' bar in this cause; but the lords commanded the counsel to go on, with which they complied. And as they went from the lords' bar, they were by an order from the house of commons sent to the Tower. But they were by another order from the lords set at liberty. So the two houses being as it were at war, it was necessary to put an end to the session.

This was very uneasy to the court; for they saw it was a very sure method to break a session of parliament, every time that it was taken up. I am not sure if this was laid, or if it happened by accident. Lord Shaftesbury said, it was laid by himself†; but others assured me, it happened in course, though it produced great effects: for there never was a strength in the court to raise this debate of the test in any subsequent session. And as this made the court apprehend they might by the prosecution of the same appeal lose the next session, since the prorogation did only discontinue parliamentary proceedings, but not judiciary ones; so they feared this might go so far as to force a dissolution of the present parliament; to which the court would be very hardly brought, after they had practised so long upon the members, and knew them all so well.

In this session, on a day that grievances were to be gone upon, Grimstone said, that considering the extent of privilege, he looked on a standing parliament as the greatest grievance of the nation; so many men being exempted from justice, and from the demands of their creditors, for so long, and so indefinite a time. This motion was let fall at that time; but it was not forgotten: and it was likely to be taken up when new opportunities should be offered. The summer went over without any considerable accidents at home.

A new session met next winter; and at the first opening it, the king laid before the commons the great difficulties he was in by the anticipations of his revenues. It was then generally thought, that the king was in such straits, that, if money could not be obtained, he must turn to other counsels, and to other ministers. The debate went high in the committee of the whole house. It was offered on the one side to shew, that the king had not enough in his hands to maintain the government, and to secure the nation, though our neutrality at that time made trade flow in upon us, so that the customs rose higher than ever. On the other hand it was said, that if anticipations were once admitted as a reason for a supply, the court would never want that reason. It was fitter to examine by whose means, or on what design, those anticipations were made. At last the question was put; and, the vote being then stated, and the previous question being then put, whether the main question should be then put, or not, the votes were equal. So sir Charles Harbord, who was in the chair, gave it for putting the main question: but, some of the country side coming in between the two questions, the main question was lost by two or three; so near was the court to the carrying so great a point. Harbord was much blamed for his rashness. He said, the duty of the chair was always to set matters forward; and so he ought to have given it for putting the main question; and if the same equality had continued, he said, he would have given it for the court. He was a very rich and covetous man, who knew England well; and his parts were very quick about him in that great age, being past eighty. A lively repartee was made by his own son to him in the debate. He had said, the right way of dealing with the king, and of gaining him to them, was, to lay their hands on their purses,

\* It was brought by a Dr. Thomas Shirley against Sir John Fagg. See the proceedings in Grey's Debates, iii. 139—289

† Marvell considered "that the commons were not in earnest in the affair, but that some crafty members blew the coals to prevent the Test Act coming among them."

and to deal roundly with him. So his son said, he seconded his motion : but he meant that they should lay their hands on their purses, as he himself did, and hold them well shut, that no money should go out of them \*. The earl of Danby was much disappointed at this ; yet he took heart, since it was brought so near, that he reckoned he would make the next session sure. The petition of appeal, that had broken the former session, was now brought on again before the lords. The court tried their whole strength to keep it off, till they saw what might be expected from the commons. So, upon the miscarriage of the great vote in the house of commons, the lords went on upon the petition ; and, the commons opposing them vigorously, as before, it was visible that the parliament must be prorogued.

Upon this it was proposed in the house of lords to address the king for dissolving the present parliament. It was manifest the two houses could no longer maintain the correspondence that was necessary. In a new parliament this must fall to the ground ; but it could not while this lasted. It was said, a standing parliament changed the constitution of England. The king did no more consult with his people, nor know them ; but he had now a cabal of single persons to deal with. The people were now cut off from their liberty of electing, and so had no more a true representative. It was said, that a parliament of a long continuance would be either an engine to sell the liberties of their country, or would, by rendering themselves popular, join with the people against the crown. In either case it was likely to be destructive to the constitution. So it was moved, that an address should be made to the king for dissolving the parliament ; and, to the wonder of all men, the duke joined in it. The majority of the temporal lords were for it ; but the bench of bishops was against it : and so it was not carried. The thing became the universal subject of discourse. It was infused into the members of the house of commons, that, if they would not be more tractable, and help the king out of his necessities, he was sure a new parliament would give him money, and make him easy ; and that the rather for having dissolved them. This wrought on many of them, who had been chosen while the nation was in a fit, or rather a fury of loyalty. They knew they could never hope to be chosen again. Many of them were ruined in their fortunes, and lived upon their privileges, and upon their pensions. They had got it among them for a maxim, which contributed not a little to our preservation while we were in such hands, that, as they must not give the king too much at a time, lest there should be no more use for them, so they were to take care not to starve the court, lest they themselves should be starved by that means. They were indeed generally both against popery and France : and, to redeem their credit for the money that they were ready to give somewhat too lavishly, they said, when they went into their countries, that it was on design to fix the king to an English interest, and the protestant religion. And they had talked so high on those heads, that the court itself could not manage them, when any thing relating to these came before them. Some of them were high for the prerogative ; others high for the church ; and all the mercenary men were careful of themselves. In opposition to these a great party was formed, who declared more heartily for the protestant religion, and for the interest of England. The duke of Buckingham, and the earl of Shaftesbury, opened many of their eyes, and let them know the designs of the court. And indeed they were then so visible, that there was enough seen, without such secret intelligence, to convince the most incredulous. Sir William Coventry had the greatest credit of any man in the house. He never meddled personally with any minister. He had a perfect understanding of affairs. So he laid open the errors of the government with the more authority, because he mixed no passion nor private resentments with it. His brother † usually answered him with much life in a repartee, but not with the weight and force with which he spoke. Colonel Birch was a man of a peculiar character ; he had been a carrier at first, and retained still, even to an affectation, the clownishness of his education. He got up in the progress of the war to be a colonel, and to be concerned in the excise ; and at the Restoration he was found to be so useful in managing the excise, that he was put in a good post. He was the roughest and boldest speaker in the house, and talked in the language and phrases of a carrier, but with a beauty and eloquence that was always acceptable. I heard Coventry say, he was the best

\* Grey, who was a member, relates this repartee as being made the previous session, and that its utterer was Sir Thomas Merts.—Grey's Debates, ii. 35.

† Mr. Henry Coventry, secretary of state.

speaker to carry a popular assembly before him that he had ever known. He spoke always with much life and heat; but judgment was not his talent\*. Waller was the delight of the house; and even at eighty he said the liveliest things of any among them; he was only concerned to say that which should make him be applauded: but he never laid the business of the house to heart, being a vain and empty, though a witty, man. He deserves the character of being one of the great refiners of our language and poetry. He was for near sixty years one of the best of all our writers that way†. The two men of quality that were the most considered were, the lord Russell and the lord Cavendish. Lord Russell was a man of great candour, and of a general reputation; universally beloved, and trusted; of a generous and obliging temper. He had given such proofs of an undaunted courage, and of an unshaken firmness, that I never knew any man have so entire a credit in the nation as he had. He quickly got out of some of the disorders into which the court had drawn him; and ever after that his life was unblemished in all respects. He had from his first education an inclination to favour the non-conformists; and wished the laws could have been made easier to them, or they more pliant to the law. He was a slow man, and of little discourse; but he had a true judgment, when he considered things at his own leisure. His understanding was not defective; but his virtues were so eminent, that they would have more than balanced real defects, if any had been found in the other‡. Lord Cavendish, afterwards earl, and then duke, of Devonshire, was too much a libertine both in principle and practice. He went off from the court at first upon resentments for some disappointments there. He was ambitious, and had the courage of a hero, with an unusual proportion both of wit and knowledge. He had a great softness in his exterior deportment§. Littleton and Powle were the

\* Colonel Birch had a coarse but ready wit, with which he retorted without distinction upon all assailants. Sir Edward Seymour, or Mr. Coventry, in the course of a debate, reflected upon his former occupation of a carrier: Birch replied with justifiable contempt, "It is very true, as that gentleman says, I *once* was a carrier; and let me tell that gentleman it is very fortunate for him that he never was a carrier, for if he had he would have been a carrier *still*." Charles the Second being displeased with one of the colonel's motions in the house, told him that he remembered forty-one; to which the colonel replied, that also he remembered forty-eight.—Oxford ed. of this work.

† Edmund Waller was excellent as a poet, wit, and orator; but he was not a worthy, honourable man. He was inconsistent in his public conduct, changing whenever it appeared to his interest—lauding in verse the two Charleses and Cromwell, plotting against the parliament, and thinking no sacrifice of his friends, his dignity, or his purse too great to save his life when the confederacy was discovered—wealthy, yet extremely parsimonious—and the most servile flatterer possible. His memoir by Dr. Johnson, in his "Lives of the Poets," exhibits him in his true character. He was born in 1605, and died in 1687. He wrote a "Panegyric" upon Cromwell; and a "Congratulation" to Charles the Second. The first is by much the most excellent composition, and when the king mentioned to him the disparity, Waller most happily replied—"Poets, Sire, succeed better in fiction than in truth."

‡ To this character of the proto-martyr of our liberties, lord William Russell, nothing has to be added but that the testimony of those to whom he stood in these several degrees of relationship declare, that he was most exemplary as a son, a husband, and a master. He was the third son of the first duke of Bedford, and born about the year 1641. Although educated in private and under puritanical tutors, he was in early manhood of dissipated habits; but in 1667, he married the admirable Rachael Wriothersley, daughter of the earl of Southampton, and from that hour he reformed. The principal events of his public life will be noticed hereafter; and here it needs only to be mentioned that more ample details of this great and good man may be found in "The Life of Lord W. Rus-

sell," by the present Lord John Russell—"Memoirs of Lady Russell, with her Letters, &c."

§ It would give us just ground to esteem William Cavendish, first duke of Devonshire, if it was simply said that he was the intimate friend of lord William Russell. He was born in 1640. When only just twenty-one years old, he was chosen one of the representatives of the county of Derby, and continued a member of that long parliament until it was dissolved. It appears, as is rather too generally observed by Burnet, he was much addicted to women and wine. His courage was beyond all doubt. He served as a volunteer on board the fleet with distinguished honour in 1665; and in 1669, when at the opera in Paris, he struck one of three French officers who insulted him upon its stage. They all attacked him with their swords, and though he fought them most courageously, they severely wounded, and probably would have killed him, if a sturdy Swiss servant had not thrown him over into the pit. The officers were imprisoned, but at his particular request they were discharged. In a letter to him from Sir W. Temple, it is said, that his assailants amounted to seven or eight, "which would never have been done in any other place but France."—Kennet's Memoirs of the Cavendishes; Sir W. Temple's Works, ii. 180, fol. He was a most accomplished, elegant, and talented man; uniting the rarely conjoined qualities of brilliant wit and sound judgment. His public services will be frequently noticed in the following pages, and support the character he drew of himself in the inscription he ordered to be placed upon his monument.

WILLIELMUS DUX DEVON,  
HONORUM PRINCIPUM FIDELIS SUBDITUS  
INIMICUS ET INVIUS TYRANNIS.

'William, duke of Devonshire, the faithful subject of good princes, the enemy to, and hated by, tyrants.'

He died in 1707. It was during his life that the magnificent house at Chatsworth attained its splendour. Marshal Tallard passed some part of his captivity here, and upon leaving it, told the duke, that when in future days he computed the time he was a captive in England, he should not reckon his days of enjoyment at Chatsworth.



men that laid the matters of the house with the greatest dexterity and care. Powle was very learned in precedents, and parliament journals, which goes a great way in their debates; and, when he had time to prepare himself, he was a clear and strong speaker. Littleton was the ablest and the most vehement arguer of them all. He commonly lay quiet till the end of a debate; and he often ended it, speaking with a strain of conviction and authority, that was not easily resisted. I lived the very next door to him for several years, and we spent a great deal of our time every day together. He told me all their management; and commonly, when he was to put his whole strength to argue any point, he used to talk it over with me, and to set me to object all that I could against him. He lived wholly in London. So matters were most in his hands during the intervals of parliament: and by his means it was, that I arrived at such knowledge of their intrigues. He was a wise and worthy man, had studied much modern history, and the present state and interest of Europe. Sir Thomas Lee was a man that valued himself upon artifice and cunning, in which he was a great master, without being out of countenance when it was discovered. Vaughan, the chief justice's son, was a man of great integrity, had much pride, but did great service. These were the chief men that preserved the nation from a very deceitful and practising court, and from a corrupt house of commons. And by their skill and firmness they, from a small number who began the opposition, grew at last to be the majority.

All this I thought fit to lay together, and to fill as it were an empty place in my history; for, as our main business lay in preparing for, or managing a session of parliament, so we had now a long interval, of above a year, between this session in winter 1675, and the next session of parliament, which was not till the spring in 1677. The French were much set on procuring a peace: and they, seeing how much the parliament was set on engaging the king in the alliance, prevailed with him to discontinue the session, for which no doubt he had round sums of money sent to him.

About this time Lockhart, the ambassador in France, died. The farther he saw into the designs of the court, he grew the more uneasy in the post he was in, though he acted in it with great spirit and resolution, both with relation to his own master, and to the French king; of which I will set down two passages, that may be very instructive to ambassadors. In this time of neutrality, the French privateers took many English ships, pretending they were Dutch, only with English passes. One of these was taken by a privateer, that, as was believed, Pepys\*, then secretary to the English admiralty, and in great favour with the duke, had built; and, as was said, out of the king's stores. The merchants proved in council, that the ship was English. So Lockhart had an order to demand her; and he pressed it so effectually, that an order was sent from the court of France to discharge her: but before that was executed, the king was prevailed on by Pepys, to tell the French ambassador, that he did not concern himself in that ship: he believed merchants were rogues, and could bring witnesses to prove whatsoever they had a mind to: so the court of France might do what they pleased in that matter. This was written to Versailles a day or two after the former order was sent; but upon it a new one went to Dunkirk, where the ship lay, to stop her. This came before she could get out. So Lockhart, being informed of that, went to court, and complained heavily. He was told what the king himself had said about it: he answered resolutely, that the king spoke to them only by him. Yet he wrote upon this to the court of England, desiring to be recalled, since he could serve no longer with honour, after he had been so disowned. Upon this the king wrote him a letter with his own pen, excusing the matter the best he could, and justified him in what he had done. And upon that secret orders were sent, and the ship was discharged. The other was a higher point, considering the bigotry of the king of France. Lockhart had a French Popish servant, who was dying, and sent for the sacrament: upon which it was brought with the procession ordinary in such cases. Lockhart, hearing of this, ordered his gates to be shut: and upon that many were inflamed, and were running to force his gates; but he ordered all his family to stand to their arms, and, if any force was offered, to fire. There was a great noise made of this; but no force was offered. He resolved to complain first, and so went to court, and expostu-

\* This was Mr. Samuel Pepys, whose very valuable and interesting "Diary" has lately been published.

lated upon it. He said his house was his master's house ; and here a public triumph was attempted on his master's religion, and affronts were offered him : he said, if a priest had brought the sacrament privately, he would have connived at it ; but he asked reparation for so public an injury. The king of France seemed to be highly displeased at this, calling it the greatest indignity that had ever been done to his God during his reign. Yet the point did not bear arguing ; so Lockhart said nothing to that. When Lockhart went from him, Pomponne followed him, sent after him by the king, and told him, he would force the king to suffer none of his subjects to serve him. He answered, he would order his coachman to drive the quicker to Paris, to prevent that ; and left Pomponne to guess the meaning. As soon as he came to his house, he ordered all his French servants to be immediately paid off, and dismissed. The court of England was forced to justify him in all this matter. A public letter of thanks was written to him upon it ; and the court of France thought fit to digest it ; but the French king looked on him ever after with great coldness, if not with aversion. Soon after that he fell into a languishing, which after some months carried him off. I have ever looked on him as the greatest man that his country produced in this age, next to sir Robert Murray.

The earl of Danby began now to talk against the French interest with open mouth. Rouvigny stayed but two years in England ; for, though he served his master's interests but too well, yet the Popish party could not bear the want of a chapel in the French ambassador's house ; so he was recalled, and Courtin was sent in his room. Before he parted, he talked roundly with lord Danby : he said he was going into popular interests against those of his master's honour, who having engaged the king of France in the war, and being forced to leave him to fight it out alone, ought not to turn against him ; especially, since the king of France referred every thing to him as the arbiter and mediator of the peace : he remembered him of the old duke of Buckingham's fate, who thought to become popular by breaking the Spanish match ; and it was his ruin. He said the king of France was the king's best friend, and truest ally ; and if he made the king forsake him, and depend on his parliament, being so tempered as they were then, both the king and he might come to repent it, when it was too late : I had all this from himself. To this lord Danby replied, that he spoke as a faithful servant to his own master, and that he himself would act as a faithful servant to his master. Courtin spoke a great deal to the same purpose, in the prince of Condé's presence, when I had the honour to wait on him. He told me there was a strange reverse in things : lord Danby was at that time suffering for being in the French interest ; and lord Montague was popular as being against it : whereas, to his knowledge, during his employment in England, lord Danby was an enemy to their interest, as much as lord Montague was for it. I can say nothing as to one point, whether any great sums came over from France all this while, or not. Some watched the rising and falling of the exchange, by which men skilful in those matters can judge, when any great sum passes from one kingdom to another, either in specie, or by bill : but they could never find out anything to make them conclude it was done. Lord Montague told me he tried often to get into that secret, but in vain : he often said to the king, that, if he would trust him, he could make better bargains for him, than others had made ; but the king never answered him a word on that head ; and he believed, that what sums soever came over, they were only to the duchess of Portsmouth, or to the king's privy purse ; and that the French ambassador had the sole managing of that matter, the king perhaps not being willing to trust any of his own subjects with so important and so dangerous a secret. In all companies the earl of Danby was declaring openly against France, and Popery ; and the see of London falling then void by Henchman's death, he brought Compton, brother to the earl of Northampton, to succeed him. He was made bishop of Oxford upon Crew's being promoted to Duresme (Durham).

Compton carried arms for some years. When he was past thirty, he took orders. He was an humble and modest man. He applied himself more to his function than bishops had commonly done. He went much about his diocese, and preached, and confirmed in many places. His preaching was without much life or learning ; for he had not gone through his studies with the exactness that was fitting. He was a great patron of the converts from

Popery, and of those protestants, whom the bad usage they were beginning to meet with in France drove over to us ; and by these means he came to have a great reputation. He was making many complaints to the king, and often in council, of the insolence of the papists, and of Coleman's in particular ; so that the king ordered the duke to dismiss Coleman out of his service : yet he continued still in his confidence. But with these good qualities Compton was a weak man, wilful and strangely wedded to a party. He was a property to lord Danby, and was turned by him as he pleased. The duke hated him ; but lord Danby persuaded both the king and him, that, as his (Compton's) heat did no great hurt to any person, so the giving way to it helped to lay the jealousies of the church party. About a year after that, Sheldon dying, Compton was persuaded that lord Danby had tried with all his strength to promote him to Canterbury, though that was never once intended. There were none of the order that were in any sort fitted to fill that see, whom the court could trust \*.

Sancroft, dean of St. Paul's, was raised to it. He was a man of solemn deportment, had a sullen gravity in his looks, and was considerably learned. He had put on a monastic strictness, and lived abstracted from company. These things, together with his living unmarried, and his being fixed in the old maxims of high loyalty, and a superstitious valuing of little things, made the court conclude, that he was a man who might be entirely gained to serve all their ends ; or, at least, that he would be an unactive, speculative man, and give them little opposition in anything that they might attempt when they had more promising opportunities. He was a dry, cold man, reserved, and peevish ; so that none loved him, and few esteemed him : yet the high church party were well pleased with his promotion.

As lord Danby thus raised his creatures in the church, so he got all men turned out of their places that did not entirely depend on him ; and went on in his credit with the king, still assuring him, that, if he would leave things to his conduct, he would certainly bring about the whole cavalier party again to him. And such was the corruption and poverty of that party, that, had it not been that French and popish counsels were so visible in the whole course of our affairs, he had very probably gained them to have raised the king's power, and to have extirpated the dissenters, and to have brought things very near to the state they were in, in king Charles the First's time, before the war.

All this while the papists were not idle. They tried their strength with the king to get the parliament dissolved ; in which their hopes carried them so far, that Coleman drew a declaration for justifying it. Their design in this was, once to divide the king and his people ; for they reckoned the new parliament would not be so easy to him as this was. For how angry soever this was at him, and he sometimes at them, yet they saw that a severe act against popery, or some steps made against France, would dispose them to forget all former quarrels, and to give money : and as the king always wanted that, and loved to be easy, so the prospect of it was ever in his view. They feared, that at some time or other, this might make him both sacrifice Popery, and forsake France. So they took all possible methods to engage the king to a more entire dependence on France, and to a distrust of his own people. They were labouring for a general peace in all courts where they had any interest. The prince of Orange's obstinacy was the common subject of their complaints. Lord Shaftesbury tried, upon the duke's concurring in the vote for an address to have the parliament dissolved, if he could separate him from the earl of Danby : and he sent a message to him by the lord Stafford, that his voting as he did in that matter had gained much on many who were

\* It will be necessary here to give no more of Dr. Henry Compton's life than that part which preceded this year, as his future conduct will be mentioned in subsequent pages. He was the youngest son of the second earl of Northampton, and born in 1632. He was a member of both the universities. He inherited the courageous spirit of his father, who died in the field for Charles the First. He was only ten years old when the battle of Edge-hill was fought, and was, for the sake of security, in the royal camp during that bloody day. After the Restoration he accepted a cornetcy in a regiment commanded by the earl of Oxford, but soon deserted the profession of arms for the church.

In this he rapidly obtained preferment. In 1674 he was promoted to the see of Oxford, and further to that of London, in 1676, as mentioned in the text. He was emphatically known in that time of struggle between the papists and the church of England, as "*the Protestant bishop*," a sobriquet that sufficiently expressed the public opinion as to the inclinations and faithfulness of some of his episcopal brethren. He was the tutor of the princesses Mary and Anne, and by him they were confirmed and married. For a lengthened life of this worthy man, the reader may consult Kippis's *Biograph. Britan.* ; Wood's *Athenæ Oxon.* ; and Salmon's *Lives of the English Bishops*.



formerly his enemies ; he wished he would use his interest with the king to get that brought about ; and he durst undertake that a new parliament should be more inclinable to grant the papists a toleration, than they would ever find this would prove.

But the duke and lord Danby were too firmly united to be easily divided ; for whatever lord Danby gave out, he made the duke believe, that all that he intended would really turn to his service. Coleman was very busy in writing many letters to all places, but chiefly to the court of France. He was in all his despatches setting forth the good state of the duke's affairs, and the great strength he was daily gaining. He was either very sanguine, if he believed this himself, or very bold in offering to impose it so positively on others. He was always full of assurances, that, if a peace could be brought about, so that the king of France was set at liberty to assist them with his purse, and his force, they were never in such hopes of succeeding in the great design of rooting out this pestilent heresy, that had so long overrun these northern kingdoms, as now. He had a friend, one sir William Throgmorton, of whom he intended to make great use. He and his wife had prevailed with him and his lady to change their religion ; and so he sent them over to France, recommending him to the king's confessor, F. Ferrier, as a man that might do them great service, if he could be made one of theirs. So Ferrier, looking on him as a man of importance, applied himself to turn him, which was soon done : and the confessor, to raise the value of his convert, spoke of him to the king in such a strain, that he was much considered. When his lady abjured, the duke of Orleans led her up to the altar. He took great state on him, and soon spent all he had. He was a busy man between the two courts ; but, before he got into any considerable post, Ferrier died, and the new confessor did not take such care of him as his predecessor had done : so he was forced to quit his high living, and retire to a private house. And he sent his lady into a monastery ; yet he continued still to be Coleman's agent, and correspondent. He went often to see an English lady, that was of their religion, lady Brown ; and being one day with her, he received a deep wound by a knife struck into his thigh, that pierced the great artery. Whether the lady did it to defend herself, or he to show the violence of his passion, was not known ; it was not possible to stop the bleeding : yet the lady would have him carried out of her house. He died in the house of one Hollman, an eminent man of their religion, then at Paris. The whole matter was carried off in such secrecy, that Lockhart, then at Paris, could never penetrate farther into it. I had this from his lady after his death.

Coleman quickly found out another correspondent that was more useful to him than he whom he lost could ever have been, F. St. German, a Jesuit, who was sent over with the duchess, and passed for her confessor, though I have been assured that was a mistake. He had all the heat of his order in him, and was apt to talk very boldly. I was sometimes in company with him. He was complained of in council by the bishop of London, for some practice on one that was come over a convert, whom he was between threatening and persuasion working on, in order to the sending him back. This came to be discovered. Upon which he fled ; and on him Coleman fixed for his chief correspondent. Howard was about this time by cardinal Altieri's means promoted to be a cardinal ; and upon that the king and duke sent compliments to Rome. This opened a negotiation with that court, that was put in the hands of the internuncio at Brussels. So it was proposed that a sum of money should be given the king, if in return of that some suitable favours for those of their religion could be obtained. Coleman was sent over by the duke to Brussels, to treat about it, none being in the secret but the lord Arundel. Yet, as he understood it, the king himself knew of it. When he went thither, he found the sum offered was so small, and the conditions demanded were so high, that he made no progress in the negotiation. Whatsoever Coleman did in the main business, he took good care of himself. All his letters were full of their being able to do nothing for want of money ; and he made the French ambassador believe, he could do his master great service if he was well supplied. He got once 2,500 guineas from him, to gain his master some friends ; but he applied it all to furnish out his own expense. He was at that time so lifted up, that he had a mind to pass for the head of the party : and of this I will give one instance in which I myself had a share.

Sir Philip Terwhit, a papist, had married a zealous protestant, who suspecting his religion, charged him with it : but he denied it before marriage, and carried that so far, that he received

the sacrament with her in her own church. After they were married, she found that he had deceived her; and they lived untowardly together. At this time some scruples were put in her head, with which she acquainted me, and seemed fully satisfied with the answers that I gave her. She came afterwards to me, and desired I would come to her house, and talk of all those matters with some that her husband would bring to meet us. I told her I would not decline the thing, if desired, though I seldom knew good come of such conferences. She made the same proposition to Dr. Stillingfleet, and he gave the same answer. So a day was set, and we went thither, and found ten or twelve persons, that were not known to us. We were scarcely set down, when Coleman came in, who took the whole debate upon him. I wrote down a very exact account of all that passed, and sent it to them, and had their additions to it; and I printed it. The thing made a great noise, and was a new indication of Coleman's arrogance. Soon after that the lady, who continued firm upon this conference, was possessed with new scruples about the validity of our ordinations. I got from her the paper that was put in her hand, and answered it; and she seemed satisfied with that likewise: but afterwards the uneasiness of her life prevailed more on her than her scruples did, and she changed her religion.

Some time after I had printed the "Memoirs of the Dukes of Hamilton," which were favourably received, the reading of these got me the acquaintance and friendship of sir William Jones, then attorney-general. He was raised to that high post merely by merit, and by his being thought the greatest man of the law; for, as he was no flatterer, but a man of a morose temper, so he was against all the measures that they took at court. They were weary of him, and were raising sir John King to vie with him; but he died in his rise, which indeed went on very quickly. Jones was an honest and wise man. He had a roughness in his deportment that was very disagreeable, but he was a good-natured man at bottom, and a faithful friend. He grew weary of his employment, and laid it down; and though the great seal was offered him, he would not accept of it, nor return to business. The quickness of his thoughts carried his views far. And the sourness of his temper made him too apt both to suspect and to despise most of those that came to him. My way of writing history pleased him, and so he pressed me to undertake the history of England. But Sanders's book, that was then translated into French and cried up much in France, made all my friends press me to answer it, by writing the history of the Reformation. So now all my thoughts were turned that way. I laid out for MSS. and searched into all offices. I got for some days into the Cotton library. But duke Lauderdale hearing of my design, and apprehending it might succeed in my hands, got Dolben, bishop of Rochester, to divert sir John Cotton from suffering me to search into his library. He told him I was a great enemy to the prerogative: to which Cotton was devoted, even to slavery. So he said I would certainly make an ill use of all I had found. This wrought so much on him, that I was no more admitted, till my first volume was published. And then, when he saw how I had composed it, he gave me free access to it\*.

At this time the earl of Essex was brought over from being lord-lieutenant of Ireland, whose friendship to me was afterwards such, that I think myself obliged to stop, and to give some account of him. He was the lord Capel's son. His education was neglected by

\* Of these two works of our author, his son observes, "As the apprehensions of popery grew daily stronger, the most eminent divines of the church of England signalled themselves in the Romish controversy; nothing of that kind was more taken notice of, than the account our author printed in the year 1676, of a conference, which himself and Dr. Stillingfleet were engaged in with Coleman and the principal of the Romish priests. This made him considered as one who stood in the very front of the opposition to popery. His reputation upon that account was soon after raised to the highest pitch, by that great performance, *The History of the Reformation*; in which, as he took a method wholly new, so was it universally applauded. The first volume lay nearly a year, after it was finished, for the perusal and correction of friends; so that it was not published till the year 1679, when the affair

of the Popish Plot was in agitation. This book procured our author an honour, never before or since paid to any writer; he had the thanks of both houses of parliament, with a desire that he would prosecute his undertaking and complete that valuable work. Accordingly, in less than two years after, he printed the second volume, which met with the same general approbation as the first; and such was his readiness in composing, that he wrote the historical part, in the compass of six weeks, after all his materials were laid in order."

The *History of the Reformation* is one of our national works that have been most generally read, and translated into other languages. It is nervously and accurately written, and, as all historical collectors ought, he particularly details his authorities and references.

reason of the war. But, when he was at man's age, he made himself master of the Latin tongue, and made a great progress in mathematics, and in all the other parts of learning. He knew our law and constitution well, and was a very thoughtful man. He began soon to appear against the court. The king imputed it to his resentments : so he resolved to make use of him. He sent him ambassador to Denmark, where his behaviour in the affair of the flag gained him much reputation ; though he said to me there was nothing in it. That King had ordered the governor of Croonenburgh to make all ships that passed strike to him. So when lord Essex was sailing by, he sent to him, either to strike to him, or to sail by in the night, or to keep out of his reach ; otherwise he must shoot, first with powder, but next with ball. Lord Essex sent him a resolute answer, that the kings of England made others strike to them, but their ships struck to none ; he would not steal through in the dark, nor keep out of his reach ; and if he shot at him, he would defend himself. The governor did shoot towards him, but on design shot over him. This was thought great bravery in him : yet he reckoned it was impossible the governor would endeavour to sink a ship that brought over an ambassador. While he was there the king died, which made a great change in the court. For that king had made one of his servants stadtholder ; which was indeed a strange thing, he himself being upon the place. He was but a mean person, and was advanced by the favour the queen bore him. Lord Essex's first business was to justify his behaviour in refusing to strike. Now at his going from England sir John Cotton had desired him to take some volumes of his library that related to Danish affairs, which he took without apprehending that he should have great occasion to use them ; but this accident made him search into them. And he found very good materials to justify his conduct ; since by formal treaties it had been expressly stipulated, that the English ships of war should not strike in the Danish seas. This raised his character so high at court, that it was written over to him, that he might expect everything he should pretend to at his return. The change of government that he saw in Denmark, and the bringing it about with so little difficulty, made a great impression on him : since one of the freest nations in the world was on a sudden brought under a most arbitrary form of government. Many of the ancient nobility seemed uneasy under the change. And even the chancellor himself, though raised by favour from very mean beginnings, could not forbear to lament even to him the change of their constitution.

Upon his return from Denmark he was made lord-lieutenant of Ireland. He could never understand how he came to be raised to that post, for he had not pretended to it ; and he was a violent enemy to popery : not so much from any fixed principle in religion, in which he was too loose, as because he looked on it as an invasion made on the freedom of human nature. In his government of Ireland he exceeded all that had gone before him ; and is still considered as a pattern to all that come after him. He studied to understand exactly well the constitution and interest of the nation. He read over all their council books, and made large abstracts out of them to guide him, so as to advance every thing that had been at any time set on foot for the good of the kingdom. He made several volumes of tables of the state, and persons that were in every county and town ; and got true characters of all that were capable to serve the public. And he preferred men always upon merit, without any application from themselves ; and watched over all about him, that there should be no bribes going among his servants. The revenue of Ireland was then in the earl or Ranelagh's management, who was one of the ablest men that island had bred, capable of all affairs, even in the midst of a loose run of pleasure and much riot. He had the art of pleasing masters of very different tempers and interests so much, that he continued above thirty years in great posts. He had undertaken to furnish the king with money for the building of Windsor out of the revenue of Ireland. And it was believed the duchess of Portsmouth had a great yearly pension out of his office. By this means payments in Ireland were not regularly made. So the earl of Essex complained of this. The king would not own how much he had from lord Ranelagh, but pressed lord Essex to pass his accounts. He answered, he could not pass them as accounts ; but, if the king would forgive lord Ranelagh, he would pass a discharge, but not an ill account. The king was not pleased with this, nor with his exactness in that government : it reproached his own too much. So he took a resolution about this time to



put the duke of Ormond in it again. Upon this occasion the earl of Essex told me, that he knew the king did often take money into his privy purse, to defraud his exchequer; for he reckoned that what was carried thither was not so much his own as his privy purse was. And Coventry told lord Essex, that there was once a plantation-cause at the council board, and he was troubled to see the king espouse the worst side; and upon that he went to him, and told him secretly that it was a vile cause which he was supporting; the king answered him, he had got good money for doing it.

About this time there was a proposition made for farming the revenue of Ireland. And lord Danby seemed for some time to favour one set of men, who offered to farm it. But on a sudden he turned to another. The secret of this broke out, that he was to have great advantages by the second proposition. The matter was brought to the council table, and some were examined to it upon oath. Lord Widdrington did confess that he made an offer of a round sum to lord Danby, but said that he did not accept of it. Lord Halifax was yet of the council. So he observed that the lord-treasurer had rejected that offer very mildly, but not so as to discourage a second attempt: it would be somewhat strange, if a man should ask the use of another man's wife, and if the other should indeed refuse it, but with great civility. This nettled lord Danby, who upon that got him to be dismissed from that board; at which the duke was much pleased, who hated lord Halifax at that time more even than the earl of Shaftesbury himself: for he had fallen severely on the declaration for toleration in the house of Lords. He said, if we could make good the eastern compliment, "O king, live for ever," he could trust the king with everything; but since that was so much a compliment that it could never become real, he could not be implicit in his confidence. Thus matters went on all 1676, and to the beginning of 1677, when another session of parliament was held. I have brought within this year several things that may be of use to enlighten the reader as to the state of things, though perhaps of their own nature they were not important enough to deserve to be told. But in so bare a year as this proved to be, it seemed no impertinent digression to bring all such matters into the reader's way.

I shall next give some account of Scotch affairs. The duke of Lauderdale had mastered the opposition made to him so entirely, that men were now silent, though not quiet. The field conventicles increased mightily. Men came to them armed. And upon that great numbers were outlawed; and a writ was issued out, that was indeed legal, but very seldom used, called *Intercommoning*; because it made all that harboured such persons, or did not seize them when they had it in their power, to be involved in the same guilt. By this means many, apprehending a severe prosecution, left their houses, and went about like a sort of banditti, and fell into a fierce and savage temper. The privy council upon this pretended they were in a state of war. And upon an old statute, that was almost quite forgotten, it was set on foot, that the king had a power to take any castle that lay convenient for his forces, and put a garrison in it. So twelve houses were marked out, of which two were the chief dwelling houses of two peers. The rest were the houses of gentlemen that had gone into the party against duke Lauderdale. And though these were houses of no strength, and not at all properly situated for the suppressing of conventicles, yet they were taken. Soldiers were put in them. And the countries about were required to furnish those small garrisons with all things necessary. This was against the express words of the law that had lately settled the militia. Great opposition was made to it. Yet it was kept up above a year, till the houses were quite ruined by the rude soldiers, who understood that the more waste they made, it would be the more acceptable. At last it was let fall.

Another thing happened, scarcely worth mentioning, if it was not for the effects that followed on it. One Carstairs, a loose and vicious gentleman, who had ruined his estate, undertook to Sharp to go about in disguise to see those conventicles, and to carry some with him to witness against such as they saw at them: in which he himself was not to appear; but he was to have a proportion of all the fines that should be set upon this evidence: and he was to have so much for every one of their teachers that he could catch. He had many different disguises, and passed by different names in every one of them. He found Kirkton, an eminent preacher among them, who was as cautious as the rest were bold, and had avoided all suspicious and dangerous meetings. Carstairs, seeing him walking in the streets

of Edinburgh, told him there was a person that was sick and sent him to beg a visit from him. He, suspecting nothing, went with him. Carstairs brought him to his own lodgings, and there he told him he had a warrant against him, which he would execute, if he would not give him money to let him alone. Kirkton said he had not offended, and was willing to go to prison till his innocence should appear. Carstairs really had no warrant; but, as was afterwards discovered, he had often taken this method, and had got money by it. So he went out to procure a warrant, and left Kirkton locked up in his chamber. Kirkton called to the people of the house, and told them how he was trepanned. And he got one of them to seek Baillie of Jerviswood, his brother-in-law, who was a gentleman of great parts, but of much greater virtue. Carstairs could not find nine privy counsellors to sign a warrant, which were the number required by law. Yet, when he came back, he pretended he had a warrant, and would force Kirkton to go to prison upon it. Kirkton refused to obey any such warrant till he saw it. And upon that Carstairs struggled and pulled him to the ground, and sat on him, the other crying out murder. At that time Baillie came to the door, and hearing him cry out, he called to Carstairs to open the door; and that not being done, he forced it, and found Carstairs sitting upon Kirkton. He drew his sword, and made him come off him. He then asked him what warrant he had to use him as he did? He said he had a warrant to carry him to prison; but he refused to show it. Baillie offered to assist in executing it, if he had any; but he persisted in this, that he was not bound to show it. Baillie made Kirkton to go out, and followed him, no violence being used; for which he had many witnesses, whom the noise had brought together. And he said he was resolved to sue Carstairs for this riot. But before the next council day a warrant was signed by nine privy counsellors, but antedated, for the committing of Kirkton, and of six or seven more of their preachers. Lord Athol told me he was one of those who signed it, with that false date to it. So Baillie was cited before the council; Carstairs produced his warrant, which he pretended he had at the time that Kirkton was in his hands, but did not think fit to show, since that would discover the names of others, against whom he was also to make use of it. Baillie brought his witnesses to prove his behaviour; but they would not so much as examine them. It was said, that upon Carstairs saying he had a warrant, Kirkton was bound to go to jail; and that, if it had been found that he was carried thither without a warrant, the jailor would not have received him. Duke Hamilton and lord Kincardine were yet of the council. And they argued long against this way of proceeding, as liker a court of inquisition than a legal government. Yet Baillie was fined 500*l.* and condemned to a year's imprisonment. And upon this an occasion was taken to turn duke Hamilton and lord Kincardine out of the council, as enemies to the church, and as favourers of conventicles.

The parliament of England had been prorogued for about a year and some months, by two different prorogations. One of these was for more than a year. So upon that it was made a question, whether by that the parliament was not dissolved. The argument for it was laid thus. By the ancient laws a parliament was to be held "once a-year, and oftener if need be." It was said, the words "if need be," in one act, which were not in another that enacted an annual parliament without that addition, did not belong to the whole period, by which a session was only to be held once a year if it was needful; but belonged only to the word "oftener;" so that the law was positive for a parliament once a year: and if so, then any act contrary to that law was an unlawful act; by consequence, it could have no operation: from whence it was inferred, that the prorogation which did run beyond a year, and by consequence made that the parliament could not sit that year, was illegal; and that therefore the parliament could not sit by virtue of such an illegal act. Lord Shaftesbury laid hold on this with great joy, and he thought to work his point by it. The duke of Buckingham was for everything that would embroil matters. The earl of Salisbury was brought into it, who was a high-spirited man, and had a very ill opinion of the court. Lord Wharton went also into it. And lord Hollis wrote a book for it; but a fit of the gout kept him out of the way. All the rest of the party were against it. They said it was a subtilty, and it was very dangerous to hang so much weight upon such weak grounds. The words, "if need be," had been understood to belong to the whole act; and the long parliament did not pretend to make annual parliaments necessary, but insisted only on a triennial parlia-

ment ; if there had been need of a parliament during that long prorogation, the king by proclamation might have dissolved it and called a new one. All that knew the temper of the house of commons were much troubled at this dispute, that was likely to rise on such a point. It was very certain the majority of both houses, who only could judge it, would be against it. And they thought such an attempt to force a dissolution would make the commons do everything that the court desired. Lord Hallifax set himself much against this, and did it not without expressing great sharpness against lord Shaftesbury, who could not be managed in this matter. So, upon the first opening the session, the debate was brought on, and these lords stood against the whole house. That matter was soon decided by a question.

But then a second debate arose, which held for two days, whether these lords were not liable to censure, for offering a debate that might create great distractions in the subjects' minds, concerning the legality of parliament. Lord Hallifax with the rest of the party argued against it strongly. They said, if an idle motion was made and checked at first, he that made it might be censured for it, though it was seldom, if ever, to be practised in a free council, where every man was not bound to be wise, nor to make no impertinent motion ; but when the motion was entertained, and a debate followed, and a question was put upon it, it was destructive to the freedom of public councils to call any one to an account for it, they might with the same justice call them to an account for their debates and votes ; so that no man was safe unless he could know where the majority would be : here would be a precedent to tip down so many lords at a time, and to garboil the house, as often as any party should have a great majority. It was said on the other hand, here was a design to put the nation into great disorder, and to bring the legality of a parliament into dispute. So it was carried to oblige them to ask pardon as delinquents ; otherwise it was resolved to send them to the Tower. They refused to ask pardon, and so were sent thither. The earl of Salisbury was the first that was called on, for the duke of Buckingham went out of the house. He desired he might have his servants to wait on him, and the first he named was his cook ; which the king resented highly, as carrying in it an insinuation of the worst sort. The earl of Shaftesbury made the same demand. But the lord Wharton did not ask for his cook. The duke of Buckingham came in next day, and was sent after them to the Tower. And they were ordered to continue prisoners during the pleasure of the house, or during the king's pleasure. They were much visited. So to check that, though no complaint was made of their behaviour, they were made close prisoners, not to be visited without leave from the king, or the house ; and particular observations were made of all those that asked leave. This was much cried out on ; and the earl of Danby's long imprisonment afterwards was thought a just retaliation for the violence with which he drove this on. Three of the lords lay in the Tower for some months ; but they were set at liberty upon their petitioning the king. Lord Shaftesbury would not petition ; but he moved in the King's Bench that he might be discharged. The king's justice, he said, was to be dispensed in that court. The court said he was committed by an order from the house of lords, which was a court superior to them ; so they could take no cognizance of the matter. Lord Danby censured this motion highly, as done in contempt of the house of lords, and said he would make use of it against him next session of parliament. Yet he was often forced to make the same motion at that bar ; and he complained of the injustice of the court for refusing to bail or discharge him, though in that they followed the precedent which at this time was directed by himself\*.

\* The duke of Buckingham opened the debate in the house of lords in a very able speech, and concluded by moving an address to the king to call speedily a new parliament. It is certain that his arguments were not justly founded, and his observations, upon the king neglecting the dictates of an act of parliament, were bold ; but there were no passages in his speech, or in those of the earl of Shaftesbury, the earl of Salisbury, and lord Wharton, that deserved a commitment to the Tower. The duke of Buckingham left the house while lord Anglesea was arguing against their im-

prisonment ; but he came into his place the next day, and extricated himself very adroitly, by an excuse that as he saw their lordships intended he should lodge some time in another place, and as he kept his family with very exact economy, he had been home to set his house in order, and was now ready to submit to their pleasure. He was then committed as the three other noblemen had been. Shaftesbury was jealous of Buckingham for setting up as the head of his party, and spoke of him as an inconsistent, giddy man. It happened that the latter, with



The debate about the dissolution of the parliament had the effect in the house of commons that was foreseen; for the commons were much inflamed against lord Shaftesbury and his party. They at first voted 600,000*l.* for the building thirty ships: for they resolved to begin with a popular bill. A clause was put in the bill by the country party, that the money should be accounted for to the commons, in hope that the lords would alter that clause, and make it accountable to both houses; which was done by the lords, and conferences were held upon it. The lords thought that, since they paid their share of the tax, it was not reasonable to exclude them from the accounts. The commons adhered to their clause, and the bill was in great danger of being lost. But the king prevailed with the lords to recede. An additional excise, that had been formerly given, was now falling, so they continued that for three years longer. And they were in all things so compliant, that the court had not for many years had so hopeful a session as this was. But all was changed of a sudden.

The king of France was then making one of his early campaigns in Flanders: in which he at first took Valenciennes, and then divided his army in two. He with one besieged Cambray; and the other, commanded by his brother, besieged St. Omer. But, though I intend to say little of foreign affairs, yet where I come to the knowledge of particulars that I have not seen in any printed relations, I will venture to set them down. Turenne's death was a great blow to the king of France\*; but not to his ministers, whom he despised, and who hated him. But the king had such a personal regard to him, that they were afraid of opposing him too much. He was both the most cautious and the most obliging general that ever commanded an army. He had the art of making every man love him, except those that thought they came in some competition with him; for he was apt to treat them with too much contempt. It was an extraordinary thing that a random cannon shot should have killed him. He sat by the balance of his body a while on the saddle, but fell down dead in the place: and a great design he had, which probably would have been fatal to the German army, died with him. The prince of Condé was sent to command the army to his great affliction: for this was a declaration that he was esteemed inferior to Turenne, which he could not well bear, though he was inferior to him in all that related to the command; unless it was in a day of battle, in which the presence of mind and vivacity of thought, which were wonderful in him, gave him some advantage. But he had too much pride to be so obliging as a general ought to be. And he was too much a slave to pleasure, and gamed too much, to have that constant application to his business that the other had. He was entirely lost in the king's good opinion: not only by reason of his behaviour during his minority; but, after that was forgiven, once when the king was ill, not without apprehensions, he sent for him, and recommended his son to his care, in case he should die at that time. But he, instead of receiving this as a great mark of confidence, with due acknowledgments, expostulated upon the ill usage he had met with. The king recovered; but never forgot that treatment, and took all occasions to mortify him, which the ministers knew well, and seconded him in it; so that, bating the outward respect due to his birth, they treated him very hardly in all his pretensions.

The French king came down to Flanders in '76, and first took Condé, and then besieged Bouchain. The siege went on in form, and the king lay with an army covering it, when on a sudden the prince of Orange drew his army together, and went up almost to the king's camp, offering him battle. All the marshals and generals concluded that battle was to be given, and that the war would be that day ended. The king heard all this coldly. Schom-

Salisbury and Wharton, were discharged upon their petitions and submissions, whilst Shaftesbury remained, pending his application to the court of King's Bench. He looked from his window in the Tower, as the duke was stepping into his coach, and said, "What! my lord, are you going to leave us?" "Ay, my lord," replied Buckingham, "such giddy fellows as I can never stay long in a place." Burnet is wrong in saying that Shaftesbury refused to petition; he did refuse at first, but eventually in February, 1678, when he had been a few days more than a year

in confinement, he sent two petitions to the house, and was consequently discharged.—(Chandler's Hist. of Debates in House of Lords, i. 187. 196; Clarendon Correspondence, i. 6; Rawleigh Redivivus.) The house of commons also determined by their proceedings that they did not consider an illegal prorogation, admitting it to be one, was tantamount to a dissolution.

\* Marshal Turenne was killed in July, 1675.—Life by Ramsey.

berg was newly made a marshal, and had got great honour the year before against the prince of Orange, in raising the siege of Maestricht. He commanded in a quarter at some distance. The king said he would come to no resolution till he heard his opinion. Louvoy sent for him by a confident person, whom he ordered to tell him what had happened; and that, in any opinion he was to give, he must consider the king's person. So when he came to the king's tent a council of war was called, and Schomberg was ordered to deliver his opinion first. He said, the king was there on design to cover the siege of Bouchain; a young general was come up on a desperate humour to offer him battle; he did not doubt but it would be a glorious decision of the war; but the king ought to consider his own design, and not to be led out of these by any bravado, or even by the great hope of success; the king ought to remain in his post till the place was taken; otherwise he suffered another man to be the master of his counsels and actions. When the place was taken, then he was to come to new counsels; but till then he thought he was to pursue his first design. The king said Schomberg was in the right; and he was applauded that day, as a better courtier than a general. I had all this from his own mouth.

To this I will add a pleasant passage, that the prince of Condé told young Rouvigny, now earl of Galloway. The king of France has never yet fought a battle, and has a mighty notion of that matter; and, it seems, he apprehends the danger of it too much. Once he was chiding the prince of Conti for his being about to fight a combat with a man of quality. The king told him he ought to consider the dignity of his blood, and not put himself on the level with other subjects; and that his uncle had declined fighting on that very account. The prince of Conti answered, "my uncle might well have done so after he had won two battles; but I, who have yet done nothing, must pretend to no such distinction." The king told this answer to the prince of Condé, who saw he was nettled with it. So he said to him that his nephew had in that spoken like a young man; for winning of a battle was no great matter, since though he who commanded had the glory of it, yet it was the subalterns that did the business. In which he thought he pleased the king; and for which he laughed heartily at him when he told the story. The late king told me, that in these campaigns the Spaniards were both so ignorant and so backward, so proud and yet so weak, that they would never own their feebleness, or their wants, to him. They pretended they had stores, when they had none: and thousands, when they scarcely had hundreds. He had in their counsels often desired that they would give him only a true state of their garrisons and magazines. But they always gave it false. So that for some campaigns all was lost, merely because they deceived him in the strength they pretended they had. At last he believed nothing they said, but sent his own officers to examine everything. Monterey was a wise man and a good governor, but was a coward. Villa Hermosa was a brave man, but ignorant and weak. Thus the prince had a sad time of it every campaign. But none was so unhappy as this, in which, upon the loss of Valenciennes, he looking on St. Omer as more important than Cambray, went thither, and ventured a battle too rashly. Luxembourg, with a great body of horse, came into the duke of Orleans' army just as they were engaging. Some regiments of marines, on whom the prince depended much, did basely run away. Yet the other bodies fought so well, that he lost not much besides the honour of the day. But upon that St. Omer did immediately capitulate, as Cambray did some days after. It was thought, that the king was jealous of the honour his brother had got in that action; for he never had the command of an army after that time; and, courage being the chief good quality that he had, it was thought his having no occasion given him to show it flowed from some particular reason.

These things happening during this session of parliament made great impression on all people's minds. Sir W. Coventry opened the business in the house of commons, and shewed the danger of all these provinces falling under the power of France, which must end in the ruin of the United Provinces, if a timely stop was not put to the progress the French were making. He demonstrated that the interest of England made it necessary for the king to withdraw his mediation, and enter into the alliance against France: and the whole house went into this. There were great complaints made of the regiments that the king kept in the French army, and of the great service that was done by them. It is true, the king

suffered the Dutch to make levies. But there was another sort of encouragement given to the levies for France, particularly in Scotland, where it looked more like a press than a levy. They had not only the public jails given them to keep their men in, but, when these were full, they had the castle of Edinburgh assigned them, till ships were ready for their transport. Some that were put in prison for conventicles were, by order of council, delivered to their officers. The Spanish ambassador heard of this, and made great complaints upon it. So a proclamation was ordered, prohibiting any more levies. But duke Lauderdale kept it up some days, and wrote down to hasten the levies away, for a proclamation was coming down against them. They were all shipped off, but had not sailed, when the proclamation came down; yet it was kept up till they sailed away. One of the ships was driven back by stress of weather; but no care was taken to execute the proclamation. So apparently was that kingdom in a French management.

The house of commons pressed the king, by repeated addresses, to fall into the interest of Europe, as well as into his own. The king was uneasy at this, and sent them several angry messages. Peace and war, he said, were undoubtedly matters within his prerogative, in which they ought not to meddle. And the king in common discourse remembered often the parliament's engaging his father and grandfather in the affairs of Germany, and to break the match with Spain, which proved fatal to them; and he resolved not to be served in such a manner. Upon this occasion lord Danby saw his error, of neglecting the leading men, and reckoning upon a majority, such as could be made: for these leading men did so entangle the debates, and overreached those on whom he had practised, that they, working on the aversion that the English nation naturally has to a French interest, spoiled the most hopeful session the court had had of a great while, before the court was well aware of it. The king, who was yet firmly united with France, dismissed them with a very angry speech, checking them for going so far in matters that were above them, and that belonged only to him; though they brought to him many precedents in the reigns of the highest spirited of all our kings, in which parliaments had not only offered general advices, about the entering into wars, but even special ones, as to the conduct that was to be held in them. The whole nation thought it a great happiness to see a session that lord Shaftesbury's wilfulness had, as it were, driven in to the court, and with doing so little mischief, far contrary to all men's expectations.

When the session was over, lord Danby saw his ruin was inevitable, if he could not bring the king off from a French interest; upon which he set himself much to it: and, as he talked with an extraordinary zeal against France on all occasions, so he pressed the king much to follow the advices of his parliament. The king seemed to insist upon this, that he would once have a peace made upon the grounds that he had concerted with France; and, when that was done, he would enter next day into the alliance. But he stood much upon this; that having once engaged with France in the war, he could not with honour turn against France, till it was at an end. This was such a refining in a point of honour, which that king had not on all other occasions considered so much, that all men believed there was somewhat else at the bottom. The earl of Danby continued to give, by sir William Temple, all possible assurances to the prince of Orange, pressing him likewise to make some compliances on his side. And he gave him great hopes of bringing about a marriage with the duke's daughter, which was universally desired by all the protestant party, both at home and abroad. Great offers were made to the duke to draw him into the alliance. He was offered the command of the whole force of the allies: and he seemed to be wrought on by the prospect of so great an authority. There was a party that was still very jealous of lord Danby in all this matter: some thought all this was artifice; that a war would be offered to the next session, only to draw money from the parliament, and thereby to raise an army, and that, when the army was raised, and much money given to support it, all would be sold to France for another great sum; and that the parliament would be brought to give the money to pay an army for some years, till the nation should be subdued to an entire compliance with the court. It was given out that this must be the scheme by which he maintained himself in the king and the duke's confidence, even when he declared himself an open enemy to that which they were still supporting. This he did with so little decency, that at Sancroft's con-



secration dinner, he began a health, to the confusion of all that were not for a war with France. He got the prince of Orange to ask the king's leave to come over at the end of the campaign : with which the court of France was not pleased ; for they suspected a design for the marriage. But the king assured Barillon \*, who was lately sent over ambassador in Courtin's place, that there was not a thought of that ; and that the prince of Orange had only a mind to talk with him ; and he hoped he should bring him into such measures as should produce a speedy peace.

The campaign ended unsuccessfully to the prince ; for he sat down before Charleroi, but was forced to raise the siege †. When that was over, he came to England, and stayed some time in it, talking with his two uncles about a peace. But they could not bring him up to their terms. After a fruitless stay for some weeks, he intended to go back without proposing marriage. He had no mind to be denied ; and he saw no hope of succeeding, unless he would enter more entirely into his uncle's measures. Lord Danby pressed his staying a few days longer, and that the management of that matter might be left to him. So next Monday morning, after he had taken care, by all his creatures about the king, to put him in a very good humour, he came to the king, and told him he had received letters from all the best friends his majesty had in England, and shewed a bundle of them ; (which he was pretty sure the king would not trouble himself to read : probably they were written as he had directed.) They all agreed, he said, in the same advice, that the king should make a marriage between the prince of Orange and the duke's daughter ; for they all believed he came over on that account : and, if he went away without it, no body would doubt, but that he had proposed it, and had been denied. Upon which the parliament would certainly make addresses to the king for it. And if the marriage was made upon that, the king would lose the grace and thanks of it : but if it was still denied, even after the addresses of both houses, it would raise jealousies that might have very ill consequences. Whereas, if the king did it of his own motion, he would have the honour of it ; and, by so doing, he would bring the prince into a greater dependence on himself, and beget in the nation such a good opinion of him, as would lay a foundation for a mutual confidence. This he enforced with all the topics he could think on. The king said the prince had not so much as proposed it. Lord Danby owned he had spoken of it to himself, and said that his not moving it to the king was only because he apprehended he was not likely to succeed in it. The king said next, " My brother will never consent to it." Lord Danby answered, perhaps not, unless the king took it upon him to command it. And he thought it was the duke's interest to have it done, even more than the king's. All people were now possessed of his being a papist, and were very apprehensive of it ; but if they saw his daughter given to one that was at the head of the protestant interest, it would very much soften those apprehensions, when it did appear that his religion was only a personal thing, not to be derived to his children after him. With all this the king was convinced. So he sent for the duke, lord Danby staying still with him. When the duke came, the king told him he had sent for him, to desire he would consent to a thing that he was sure was as much for his interest, as it was for his own quiet and satisfaction. The duke, without asking what it was, said he would be ready always to comply with the king's pleasure in every thing. So the king left it to the lord Danby to say over all he had said on that head to himself. The duke seemed much concerned. But the king said to him, " Brother, I desire it of you for my sake, as well as your own." And upon that the duke consented to it. So lord Danby sent immediately for the prince, and in the king's name ordered a council to be presently summoned. Upon the prince's coming, the king, in a very obliging way, said to him, " Nephew, it is not good for man to be alone, I will give you a help meet for you." And so he told him he would bestow his niece on him. And the duke, with a seeming heartiness, gave his consent in very obliging terms : the king adding, " Nephew, remember that love and war do not agree well together." In the meanwhile the news of the intended

\* The letters of M. Barillon, throwing great light upon the proceedings of our court at this time, are given in Fox's Hist. of James the Second.

† This enabled the earl of Mulgrave to discharge upon the prince a very severe witticism. The prince, rather

uncourteously gave him an audience without moving, upon which the earl observed, that it appeared he could not rise before any thing less than a town.—E. of Dartmouth—Oxford ed. of this work.

marriage went over the court and town. All, except the French and the popish party, were much pleased with it. Barillon was amazed. He went to the duchess of Portsmouth, and got her to send all her creatures to desire to speak to the king: she wrote him likewise several billets to the same purpose. But lord Danby had ordered the council to be called; and he took care that neither the king nor the duke should be spoken to, till the matter was declared in council. And when that was done, the king presented the prince to the young lady, as the person he designed should be her husband. When Barillon saw it was gone so far, he sent a courier to the court of France with the news; upon whose arrival Montague, that was then our ambassador there, was sent for. When he came to Versailles, he saw the king the most moved that he had ever observed him to be. He asked him when was the marriage to be made? Montague understood not what he meant. So he explained all to him. Montague protested to him that he knew nothing of the whole matter. That king said, he always believed the journey would end in this; and he seemed to think that our court had now forsaken him. He spoke of the king's part in it more decently; but expostulated severely on the duke's part, who had now given his daughter to the greatest enemy he had in the world. To all this Montague had no answer to make. But next night he had a courier with letters from the king, the duke, and the prince, to the king of France. The prince had no mind to this piece of courtship, but his uncle obliged him to it, as a civility due to kindred and blood. The king assured the king of France that he had made the match on design to engage the prince to be more tractable in the treaty that was now going on at Nimeguen. The king of France received these letters civilly; but did not seem much satisfied with them. Montague was called over soon after this to get new instructions. And lord Danby asked him how the king of France received the news of the marriage. He answered, as he would have done the loss of an army; and that he had spoken very hardly of the duke, for consenting to it, and not at least acquainting him with it. Lord Danby answered, he wronged him; for he did not know of it an hour before it was published, and the king himself not above two hours. All this relation I had from Montague himself. It was a masterpiece indeed, and the chief thing in the earl of Danby's ministry, for which the duke never forgave him\*.

Upon the general satisfaction that this marriage gave the whole nation, a new session of parliament was called in the beginning of the year 78: to which the king declared the sense he had of the dangerous state their neighbours were in, and that it was necessary he should be put in a posture to bring things to a balance. So the house was pressed to supply the king in so plentiful a manner as the occasion did require. The court asked money both for an army and a fleet. Sir William Coventry showed the great inconvenience of raising a land army, the danger that might follow on it, the little use could be made of it, and the great charge it must put the nation to; he was for hiring bodies from the German princes, and for assisting the Dutch with money; and he moved to recall our troops from France, and to employ them in the Dutch service; he thought that which did more properly

\* Burnet is very erroneous in his statements respecting the marriage of the prince of Orange with the princess Mary. It had long been designed between lord Danby and sir W. Temple, then ambassador at the Hague. The prince often talked with the latter upon the subject; and having his proposed wife described in favourable colours, and seeing the advantage that would accrue to him and the protestant cause from the alliance, he positively sent proposals over to the king and duke of York, by the hand of lady Temple, and lord Danby said the king directed him to invite over the prince. Some time after, namely, in September, 1677, he came to England. Charles was much amused at the prince's nicety in refusing to enter upon any treaty of marriage until he had seen his intended wife. The prince, being satisfied with her appearance, then entered upon the treaty. There is no doubt but that the duke of York was opposed to the match, and when the prince arrived, he told Danby, in a great passion, that he discerned the intrigue, and that he was its manager, but that the design should fail; the king had promised never

to dispose of his, the duke's, daughter without his consent, and that consent should never be given to the proposed match. Lord Danby communicated this to Charles, but the king, after acknowledging the promise, added with his usual oath, "God's fish! he must consent." The duke eventually yielded, and then they wanted to treat of the terms of peace with France first, but the prince would have his marriage previously settled. A rupture nearly occurred upon this, but by the instrumentality of sir W. Temple, the king was persuaded to yield, saying, "If I am not deceived in the prince's face, he is the honestest man in the world, and I will trust him, and he shall have his wife, and you shall go immediately and tell my brother so." It was declared the same evening to the privy council, and within three days the marriage was consummated.—(Temple's Memoirs, &c., i. 454, &c.; Oxford ed. of this work, &c.) The prince arrived in England on the 9th of October, and was married on the 4th of November.—Ralph's Hist. of England.

belong to England was to set out a great fleet, and to cut off the French trade everywhere ; for they were then very high in their manufactures and trade : their people were ingenious as well as industrious : they wrought hard and lived low, so they sold cheaper than others could do ; and it was found that we sent very nearly a million of our money in specie every year for the balance of our trade with them. But the king had promised so many commissions to men of quality in both houses, that this carried it for a land army. It was said, what hazard could there be from an army commanded by men of estates, as this was to be ? A severe act passed, prohibiting all importation of the French manufactures or growth for three years, and to the next session of parliament after that. This was made as strict as was possible ; and for a year after it was well looked to. But the merchants found ways to evade it, and the court was too much French not to connive at the breach of it. In the preamble of this act it was set forth, that we were in an actual war with France. This was excepted to, as not true in fact. But the ministry affirmed we were already engaged so far with the allies, that it was really a war, and that our troops were already called from France. Coventry in some heat said the king was engaged, and he would rather be guilty of the murder of forty men, than to do anything to retard the progress of the war. The oddness of the expression made it to be often objected afterwards to him. A poll bill was granted, together with the continuance of the additional customs that were near falling off. Six hundred thousand pounds were also given for a land army and for a fleet. All the court party magnified the design of raising an army. They said the employing hired troops was neither honourable nor safe. The Spaniards were willing to put Ostend and Nieuport in our hands ; and we could not be answerable for these places if they were not kept by our own people.

At this time the king of France made a step that struck terror into the Dutch, and inflamed the English out of measure. Louvoy till then was rather his father's assistant than a minister upon his own foot. He at this time gained the credit with the king, which he maintained so long afterwards. He proposed to him the taking of Ghent ; and thought that the king's getting into such a place, so near the Dutch, would immediately dispose them to a peace. But it was not easy to bring their army so soon about it, without being observed, so the execution seemed impossible. He therefore laid such a scheme of marches and countermarches as did amuse all the allies. Sometimes the design seemed to be on the Rhine, sometimes on Luxemburgh. And while their forces were sent to defend those places where they apprehended the design was laid, and that none of the French generals themselves did apprehend what the true design was, all on the sudden Ghent was invested ; and both town and citadel were quickly taken. This was Louvoy's masterpiece. And it had the intended effect. It brought the Dutch to resolve on a peace. The French king might have taken Bruges, Ostend, and Nieuport. But he only took Ypres ; for he had no mind to provoke the English. He was sure of his point by the fright this put the Dutch in. We were much alarmed at it. And the duke of Monmouth was immediately sent over with some of the Guards.

But the parliament grew jealous, as they had great cause given them, both by what was then doing in Scotland, and by the management they observed at court. And now I must look northward to a very extraordinary scene that opened there. Duke Lauderdale and his duchess went to Scotland the former year. Her design was to marry her daughters into two of the great families of Scotland, Argyle and Murray, which she did. But things being then in great disorder, by reason of the numbers and desperate tempers of those who were *inter-communed*, Sharp pretended he was in great danger of his life ; and that the rather because the person that had made the attempt on him was let live still. Upon this, I must tell what had passed three years before this. Sharp had observed a man that kept a shop at his door, who looked very narrowly at him always as he passed by, and he fancied he was the man that shot at him six years before. So he ordered him to be taken up and examined. It was found he had two pistols by him that were deeply charged, which increased the suspicion. Yet the man denied all. But Sharp got a friend of his to go to him, and deal with him to make a full confession ; and he made solemn promises that he would procure his pardon. His friend answered, he hoped he did not intend to make use of him to trepan



a man to his ruin. Upon that, with lifted up hands, Sharp promised by the living God, that no hurt should come to him, if he made a full discovery. The person came again to him and said, if a promise was made in the king's name, the prisoner would tell all. So it was brought before the council. Lord Rothes, Halton, and Primrose were ordered to examine him. Primrose said it would be a strange force of eloquence to persuade a man to confess and be hanged. So duke Lauderdale, being the king's commissioner, gave them power to promise him his life. And as soon as these lords told him this, he immediately kneeled down and confessed the fact, and told the whole manner of it. There was but one person privy to it, who was then dead. Sharp was troubled to see so small a discovery made; yet they could not draw more from him. So then it was considered what should be done to him. Some moved the cutting off his right hand. Others said he might learn to practise with his left hand, and to take his revenge; therefore they thought both hands should be cut off. Lord Rothes, who was a pleasant man, said, how shall he wipe his breech then? This is not very decent to be mentioned in such a work, if it were not necessary; for when the truth of the promise now given was afterwards called in question, this jest was called to mind, and made the whole matter to be remembered. But Primrose moved that since life was promised, which the cutting off a limb might endanger, it was better to keep him prisoner during life in a castle they had in the Bass, a rock in the mouth of the Frith. And thither he was sent. But it was thought necessary to make him repeat his confession in a court of judicature: so he was brought into the justiciary court upon an indictment for the crime, to which it was expected he should plead guilty. But the judge, who hated Sharp, as he went up to the bench, passing by the prisoner, said to him, "Confess nothing, unless you are sure of your limbs as well as of your life." Upon this hint he, apprehending the danger, refused to confess: which being reported to the council, an act was passed, mentioning the promise and his confession, and adding, that since he had retracted his confession, they likewise recalled the promise of pardon: the meaning of which was this, that, if any other evidence was brought against him, the promise should not cover him; but it still was understood, that this promise secured him from any ill effect by his own confession. The thing was almost forgotten after four years, the man being in all respects very inconsiderable. But now Sharp would have his life. So duke Lauderdale gave way to it: and he was brought to Edinburgh in order to his trial. Nisbit, who had been the king's advocate, and was one of the worthiest and most learned men of the age, was turned out. And Mackenzie was put in his place, who was a man of much life and wit, but he was neither equal nor correct in it. He has published many books, some of law, but all full of faults; for he was a slight and superficial man\*. Lockhart was assigned counsel for the prisoner. And now that the matter came again into people's memory all were amazed at the proceeding. Primrose was turned out of the place of lord-register, and was made justice-general. He fancied orders had been given to raze the act that the council had made; so he turned the books, and he found the act still on record. He took a copy of it, and sent it to Mitchell's counsel: that was the prisoner's name. And a day or two before the trial he went to duke Lauderdale, who, together with Sharp, lord Rothes, and lord Halton, were summoned as the prisoner's witnesses. He told him, many thought there had been a promise of life given. Duke Lauderdale denied it stiffly. Primrose said, he heard there was an act of council made about it, and he wished that might be looked into. Duke Lauderdale said he was sure it was not possible, and he would not give himself the trouble to turn over the books of council. Prim-

\* Sir George Mackenzie was born in 1636, and after an education conducted at the universities of Aberdeen, St. Andrew's, and Bourges, he assumed the barrister's gown before he was twenty. He was gifted with a fondness for general literature, yet he devoted himself to his profession, and, being a copious and eloquent speaker, he, in a few years, acquired the greatest eminence at the Scottish bar. As above stated, he became, in 1678, the king's advocate, or attorney-general, for Scotland. At the revolution, he retired from all public employment, intending to devote himself to literary pursuits, but death

came upon him in 1691. As a politician, he certainly too much favoured the prerogative; as a lawyer, he was more splendid than solid; as a scholar and wit, we have the testimony of Dryden that he excelled. He would merit the respect of every friend of literature if he had no other merit than being the founder of the Advocates' Library at Edinburgh.—(Biog. Britan.; Memoirs of Lord Kames, i. app. 10.) Whoever desires to see his defence as a politician, should read his "Vindication of the Government of Charles the Second."

rose, who told me this, said his conscience led him to give duke Lauderdale this warning of the matter, but that he was not sorry to see him thus reject it. The trial was very solemn. The confession was brought against him as full evidence; to which Lockhart did plead, to the admiration of all, to show that no extrajudicial confession could be allowed in a court. The hardships of a prison, the hopes of life, with other practices, might draw confessions from men, when they were perhaps drunk, or out of their senses. He brought upon this a measure of learning, that amazed the audience, out of the lawyers of all civilized nations. And when it was opposed to this, that the council was a court of judicature, he showed that it was not the proper court for crimes of this nature, and that it had not proceeded in this as a court of judicature. And he brought out likewise a great deal of learning upon those heads. But this was overruled by the court, and the confession was found to be judicial. The next thing pleaded for him was, that it was drawn from him upon hope and promise of life: and to this Sharp was examined. The person he had sent to Mitchell gave a full evidence of the promises he had made him; but Sharp denied them all. He also denied he heard any promise of life made him by the council: so did the lords Lauderdale, Rothes, and Halton, to the astonishment of all that were present. Lockhart upon that produced a copy of the act of council, that made express mention of the promise given, and of his having confessed upon that. And the prisoner prayed that the books of council, which lay in a room over that in which the court sat, might be sent for. Lockhart pleaded, that since the court had judged that the council was a judicature, all people had a right to search into their registers; and the prisoner, who was likely to suffer by a confession made there, ought to have the benefit of those books. Duke Lauderdale, who was in the court only as a witness, and so had no right to speak, stood up and said, he and those other noble persons were not brought thither to be accused of perjury; and added, that the books of council were the king's secrets, and that no court should have the perusing of them. The court was terrified with this, and the judges were divided in opinion. Primrose and one other were for calling for the books. But three were of opinion that they were not to furnish the prisoner with evidence, but to judge of that which he brought. And here was only a bare copy, not attested upon oath, which ought not to have been read. So, this defence being rejected, he was cast and condemned.

As soon as the court broke up the lords went up stairs, and to their shame found the act recorded, and signed by lord Rothes, as president of the council. He pretended he signed everything that the clerk of council put in the book without reading it. And it was intended to throw it on him. But he, to clear himself, searched among his papers, and found a draught of the act in Nisbit's hand. So he being rich, and one they had turned out, they resolved to put it upon him, and to fine him deeply. But he examined the Sederunt in the book, and spoke to all who were there at the board, of whom nine happened to be in town, who were ready to depose upon oath, that when the council had ordered this act to be drawn, the clerk of the council desired the help of the king's advocate in penning it, which he gave him; and his draught was approved by the council. And now lord Rothes' jest was remembered. Yet duke Lauderdale still stood to it, that the promise could only be for interceding with the king for his pardon, since the council had not the power of pardoning in them. Lord Kincardine acted in this the part of a Christian to an enemy. Duke Lauderdale had written to him, he being then serving for him at court, that he referred the account of Mitchell's business to his brother's letters: in which the matter was truly related, that upon promise of life he had confessed the fact; and he concluded, desiring him to ask the king that he would be pleased to make good the promise. These letters I saw in lord Kincardine's hand. Before the trial he sent a bishop to duke Lauderdale, desiring him to consider better of that matter, before he would upon oath deny it; for he was sure he had it under his, and his brother's, hand, though he could not yet fall upon their letters. But duke Lauderdale despised this. Yet, before the execution, he went to his house in the country and there found the letters, and brought them in with him, and showed them to that bishop. All this made some impression on duke Lauderdale; and he was willing to grant a reprieve, and to refer the matter to the king. So a petition was offered to the council, and he spoke for it. But Sharp said, that was upon the matter the exposing his

person to any man that would attempt to murder him, since favour was to be showed to such an assassin. Then said duke Lauderdale, in an impious jest, "Let Mitchell glorify God in the Grass-market," which was the place where he was to be hanged. This action, and all concerned in it, were looked at by all people with horror. And it was such a complication of treachery, perjury, and cruelty, as the like had not perhaps been known. Yet duke Lauderdale had a chaplain, Hickes, afterwards dean of Worcester, who published a false and partial relation of this matter, in order to the justifying of it. Primrose not only gave me an account of this matter, but sent me an authentic record of the trial, every page signed by the clerk of the court: of which I have here given an abstract. This I set down the more fully, to let my readers see to what a height in wickedness men may be carried, after they have once thrown off good principles. What Sharp did now to preserve himself from such practices was probably that which, both in the just judgment of God and the inflamed fury of wicked men, brought him two years after to such a dismal end.

This made way to more desperate undertakings. Conventicles grew in the west to a very unsufferable pitch; they had generally with them a troop of armed and desperate men, that drew up and sent parties out to secure them. Duke Lauderdale upon this threatened he would extirpate them, and ruin the whole country, if a stop was not put to those meetings. The chief men of those parts upon that went into Edinburgh: they offered to guard and assist any that should be sent to execute the laws against all offenders; and offered to leave some as hostages, who should be bound body for body for their security. They confessed there were many conventicles held among them in a most scandalous manner; but though they met in the fields, and many of them were armed, yet, when their sermons were done, they dispersed themselves; and there was no violent opposition made at any time to the execution of the law; so they said there was no danger of the public peace of the country. Those conventicling people were become very giddy and furious; and some hot and hair-brained young preachers were chiefly followed among them, who infused wild principles into their hearers, which were disowned by the chief men of the party. The truth was, the country was in a great distraction; and that was chiefly occasioned by the strange administration they were then under. Many grew weary of their country, and even of their lives. If duke Lauderdale, or any of his party, brought a complaint against any of the other side, how false or frivolous soever, they were summoned upon it to appear before the council, as sowers of sedition, and as men that spread lies of the government; and upon the slightest pretences they were fined and imprisoned. When very illegal things were to be done, the common method was this: a letter was drawn for it to be signed by the king, directing it upon some colour of law or ancient practice: the king signed whatsoever was thus sent to him; and when his letter was read in council, if any of the lawyers or others of the board offered to object to it, he was browbeaten, as a man that opposed the king's service, and refused to obey his orders. And by these means things were driven to great extremities.

Upon one of those letters, a new motion was set on foot, that went beyond all that had been yet made. All the landlords in the western counties were required to enter into bonds for themselves, their wives, children, servants, tenants, and all that lived upon their estates, that they should not go to conventicles, nor harbour any vagrant teachers, or any intercommuned persons; and that they should live in all points according to law under the penalties of the laws. This was generally refused by them: they said the law did not impose it on them: they could not be answerable for their servants, much less for their tenants; this put it in the power of every servant or tenant to ruin them. Upon their refusing this, duke Lauderdale wrote to the king, that the country was in a state of rebellion, and that it was necessary to proceed to hostilities for reducing them. So by a letter, such as he sent up, the king left it to him and the council to take care of the public peace in the best way they could.

Upon this all the force the king had was sent into the west country with some cannon, as if it had been for some dangerous expedition; and letters were written to the lords in the Highlands, to send all the strength they could to assist the king's army. The marquis of Athol, to show his greatness, sent 2,400 men. The earl of Bredalbanc sent 1,700 men; and



in all 8,000 men were brought into the country, and let loose upon free quarter. A committee of council was sent to give necessary orders. Here was an army: but no enemy appeared. The Highlanders were very unruly, and stole and robbed everywhere. The gentlemen of the country were required to deliver up their arms upon oath, and to keep no horse above four pound price. The gentlemen looked on, and would do nothing. This put duke Lauderdale in such a phrensy, that at council table he made bare his arms above his elbow, and swore by Jehovah he would make them enter into those bonds. Duke Hamilton, and others, who were vexed to see such waste made on their estates, in ploughing-time especially, came to Edinburgh to try if it was possible to mollify him. But a proclamation was issued out, requiring all the inhabitants of those counties to go to their houses, to be assistant to the king's host, and to obey such orders as should be sent them. And by another proclamation all men were forbidden to go out of the kingdom without leave from the council, on pretence that their stay was necessary for the king's service. These things seemed done on design to force a rebellion; which they thought would be soon quashed, and would give a good colour for keeping up an army. And duke Lauderdale's party depended so much on this, that they began to divide in their hopes the confiscated estates among them: so that on Valentine's day, instead of drawing mistresses, they drew estates. And great joy appeared in their looks upon a false alarm that was brought them of an insurrection; and they were as much dejected when they knew it was false. It was happy for the public peace, that the people were universally possessed with this opinion; for when they saw a rebellion was desired, they bore the present oppression more quietly than perhaps they would have done, if it had not been for that. All the chief men of the country were summoned before the committee of council, and charged with a great many crimes, of which they were required to purge themselves by oath: otherwise they would hold them guilty, and proceed against them as such. It was in vain to pretend that this was against all law, and was the practice only of the courts of inquisition. Yet the gentlemen, being thus forced to it, did purge themselves by oath: and, after all the inquiries that were made, there did not appear one single circumstance to prove that any rebellion was intended. And when all other things failed so evidently, recourse was had to a writ, which a man who suspects another of ill designs towards him may serve him with: and it was called *law-boroughs*, as most used in boroughs. This lay against a whole family: the master was answerable, if any one of his household broke it. So, by a new practice, this writ was served upon the whole country at the king's suit: and, upon serving the writ, security was to be given, much like the binding men to their good behaviour. Many were put in prison for refusing to give this security.

Duke Hamilton had intimation sent him, that it was designed to serve this on him. So he, and ten or twelve of the nobility, with about fifty gentlemen of quality, came up to complain of all this; which looked like French, or rather like Turkish government. The lords of Athol and Perth, who had been two of the committee of council, and had now fallen off from duke Lauderdale, came up with them to give the king an account of the whole progress of this matter. The clamour this made was so high, that duke Lauderdale saw he could not stand under it. So the Highlanders were sent home, after they had wasted the country nearly two months. And he magnified this as an act of his compassion, that they were so soon dismissed. Indeed all his own party were against him in it. Lord Argyle sent none of his men down with the other Highlanders. And lord Stair pretended that by a fall his hand was out of joint: so he signed none of these wild orders.

When the Scotch nobility came to London, the king would not see them, because they were come out of the kingdom in contempt of a proclamation; though, they said, that proclamation being intended to hinder them from bringing their complaints to the king, was one of their greatest grievances. But it was answered, they ought to have asked leave; and if it had been denied them, they were next to have asked the king's leave: and the king insisted still on this; only he saw the lords of Athol and Perth. The madness of this proceeding made him conclude, that duke Lauderdale's head was turned; yet he would not disown, much less punish him for what he had done: but he intended to put Scotland in another management, and to set the duke of Monmouth at the head of it. So he suffered him to go to the Scotch lords, and be their intercessor with him. They were all much

charmed with the softness of his temper and behaviour : but, though he assured them the king would put their affairs in other hands, they looked on that as one of the king's artifices to get rid of them. The matter made great noise ; and it was in the time of the session of parliament here : and all people said, that by the management in Scotland it appeared what was the spirit of the government, and what would be done here, as soon as the designs of the court were brought to a greater perfection. The earl of Danby, by supporting duke Lauderdale, heightened the prejudices that himself lay under. The duke did also justify his conduct, which raised higher jealousies of him, as being pleased with that method of government. The chief of the Scotch nobility were heard before the cabinet council : and the earl of Nottingham held them chiefly to the point of coming out of the kingdom in the face of a proclamation. They said, such proclamations were anciently legal, when we had a king of our own among ourselves ; but now it was manifestly against law, since it barred them from access to the king, which was a right that was never to be denied them. Lord Nottingham objected next to them a practice of making the heads of the families, or clans, in the Highlands to bind for their whole name ; and why by a parity of reason might they not be required to bind for their tenants ? It was answered, that anciently estates were let so low, that service and the following the landlords was instead of a rent ; and then, in the inroads that were made into England, landlords were required to bring their tenants along with them ; but now lands were let at rack : and so an end was put to that service. In the Highlands the feuds among the families were still so high, that every name came under such a dependence on the head or chief of it for their own security, that he was really the master of them all, and so might be bound for them : but even this was only to restrain depredations and murders : and it was an unheard-of stretch to oblige men to be bound for others in matters of religion and conscience, whether real or pretended.

The whole matter was at that time let fall : and duke Lauderdale took advantage from their absence to desire leave from the king to summon a convention of estates, from whom he might more certainly understand the sense of the whole kingdom : and, what by corrupting the nobility, what by carrying elections, or at least disputes about them, which would be judged as the majority should happen to be at first, he hoped to carry his point. So he issued out the writs, while they were at London, knowing nothing of the design. And these being returnable in three weeks, he laid the matter so, that before they could get home, all the elections were over ; and he was master of above four parts in five of that assembly. So they granted an assessment for three years, in order to the maintaining a greater force. And they wrote a letter to the king, not only justifying, but highly magnifying duke Lauderdale's government. This was so base and so abject a thing, that it brought the whole nation under great contempt.

And thus I leave the affairs of Scotland, which had a very ill influence on the minds of the English ; chiefly on the house of commons then sitting, who upon it made a new address against duke Lauderdale. And that was followed by another of a higher strain, representing to the king the ill effects of his not hearkening to their address the former year with relation to foreign affairs, and desiring him to change his ministry, and to dismiss all those that had advised the prorogation at that time, and his delaying so long to assist the allies. This was carried only by a small majority of two or three. So lord Danby brought up all his creatures, the aged and infirm not excepted, and then the majority lay the other way ; and by short adjournments the parliament was kept sitting till Midsummer. Once lord Danby, thinking he had a clear majority, got the king to send a message to the house, desiring an additional revenue of 300,000*l.* during life. This set the house all in a flame. It was said, here was no demand for a war, but for a revenue, which would furnish the court so well, that there would be no more need of parliaments. The court party thought such a gift as this would make them useless ; so the thing was upon one debate rejected without a division. Lord Danby was much censured for his rash attempt, which discovered the designs of the court too barefacedly. At the same time he ordered Montague to treat with the court of France for a peace, in case they would engage to pay the king 300,000*l.* a-year for three years. So, when that came afterwards to be known, it was then generally believed, that the design was to keep up and model the army now raised, reckoning there would be money enough to pay

them till the nation should be brought under a military government. And the opinion of this prevailed so, that lord Danby became the most hated minister that had ever been about the king. All people said now, they saw the secret of that high favour he had been so long in, and the black designs that he was contriving. At this time expresses went very quickly between England and France, and the state of foreign affairs varied every post; so that it was visible we were in a secret negotiation: of which Temple has given so particular an account, that I refer my reader wholly to him. But I shall add one particular, that he has not mentioned: Montague, who was a man of pleasure, was in an intrigue with the duchess of Cleveland, who was quite cast off by the king, and was then at Paris. The king had ordered him to find out an astrologer, of whom it was no wonder he had a good opinion; for he had, long before his restoration, foretold he should enter London on the 29th of May 60. He was yet alive, and Montague found him, and saw he was capable of being corrupted; so he resolved to prompt him to send the king such hints as should serve his own ends. And he was so bewitched with the duchess of Cleveland, that he trusted her with this secret. But she, growing jealous of a new amour, took all the ways she could think on to ruin him, reserving this of the astrologer for her last shift: and by it she compassed her ends; for Montague was entirely lost upon it with the king, and came over without being recalled. The earl of Sunderland was sent ambassador in his room\*.

The treaty went on at Nimeguen, where Temple and Jenkins were our plenipotentiaries. The States were resolved to have a peace. The prince of Orange did all he could to hinder it: but De Wit's party began to gather strength again. And they infused a jealousy in all people, that the prince intended to keep up the war for his own ends. A peace might be now had by restoring all that belonged to the States, and by a tolerable barrier in Flanders. It is true, the great difficulty was concerning their allies, the king of Denmark, and the elector of Brandenburg, who had fallen on the Swede, upon the king's declaring for France, and had beaten him out of Germany. No peace could be had, unless the Swede was restored. Those princes who had been quite exhausted by that war, would not consent to this. So they, who had adhered so faithfully to the States in their extremity, pressed them to stick by them. And this was the prince of Orange's constant topic: how could they expect any of their allies should stick to them, if they now forsook such faithful friends? But nothing could prevail. It was given out in Holland, that they could not depend on England, that court being so entirely in a French interest, that they suspected they would, as they had once done, sell them again to the French. And this was believed to be let out by the French ministers themselves, who, to come at their ends, were apt enough to give up even those who sacrificed every thing to them. It was said, the court of France would consider both Denmark and Brandenburg, and repay the charge of the war against Sweden. This, it was said, was to force those princes into a dependence on France, who would not continue those payments so much for past as for future services. In the mean while the French had blocked up Mons. So the prince of Orange went to force them from their posts. Luxemburgh commanded there, and seemed to be in full hope of a peace, when the prince came and attacked him: and, notwithstanding the advantage of his situation, it appeared how much the Dutch army was now superior to the French, for they beat them out of several posts. The prince had no order to stop: he indeed knew that the peace was upon the matter concluded, but no intimation was yet made to him. So it was lawful for him to take all advantages: and he was not apprehensive of a new embroilment, but rather wished it. The French treasure was so exhausted, and their king was so weary of the war, that no notice was taken of the business of Mons. The treaty at Nimeguen was finished, and ratified: yet new difficulties arose upon the French king's refusing to evacuate the places that were to be restored till the Swede was restored to all his dominions. Upon this the English struck in again: and the king talked so high, as if he would engage in a new war. But the French prevented that, and did evacuate the places; and then they got Denmark and Brandenburg into their dependence, under the pretence of repaying the charge of the war; but it was more truly

\* The Duchess of Cleveland's letter, imparting the intelligence of Montague's treachery, is given by Harris at the end of his "Life of Charles the Second."



the engaging them into the interests of France by great pensions: so a general peace quickly followed, and there was no more occasion for our troops beyond sea. The French were so apprehensive of them, that Rouvigny, now earl of Galway, was sent over to negotiate matters. That which France insisted most on, was the disbanding the army. And the force of money was so strong, that he had orders to offer six millions of their money, in case the army should be disbanded in August. Rouvigny had such an ill opinion of the designs of our court, if the army was kept up, that he insisted on fixing the day for disbanding it; at which the duke was very uneasy. And matters were so managed, that the army was not disbanded by the day prefixed for it. So the king of France saved his money. And for this piece of good management Rouvigny was much commended. The troops were brought into England, and kept up, under the pretence that there was not money to pay them off. So all people looked on the next session as very critical. The party against the court gave all for lost: they believed the lord Danby, who had so often brought his party to be very near the majority, would now lay matters so well as to be sure to carry the session. And many did so despair of being able to balance his numbers, that they resolved to come up no more, and reckoned that all opposition would be fruitless, and serve only to expose themselves to the fury of the court: but of a sudden an unlooked-for accident changed all their measures, and put the kingdom into so great a fermentation, that it well deserves to be opened very particularly. I am so well instructed in all the steps of it, that I am more capable to give a full account of it than any man I know. And I will do it so impartially, that no party shall have cause to censure me for concealing, or altering the truth in any one instance. It is the history of that called the Popish Plot.

Three days before Michaelmas Dr. Tonge came to me: I had known him at sir Robert Murray's. He was a gardener and a chemist, and was full of projects and notions: he had got some credit in Cromwell's time, and that kept him poor. He was a very mean divine, and seemed credulous and simple; but I had always looked on him as a sincere man\*. At this time he told me of strange designs against the king's person; and that Coniers, a Benedictine, had provided himself with a poniard, with which he undertook to kill him. I was amazed at all this, and did not know whether he was crazed, or had come to me on design to involve me in a concealing of treason. So I went to Dr. Lloyd, and sent him to the secretary's office with an account of that discourse of Tonge's, since I would not be guilty of misprision of treason. He found at the office that Tonge was making discoveries there, of which they made no other account, but that he intended to get himself to be made a dean. I told this next morning to Littleton and Powel: and they looked on it as a design of lord Danby's, to be laid before the next session, thereby to dispose them to keep up a greater force, since the papists were plotting against the king's life: this would put an end to all jealousies of the king, now the papists were conspiring against his life: but lord Halifax, when I told him of it, had another apprehension of it. He said, considering the suspicions all people had of

\* Israel, or Ezzael Tongue, or Tonge, was born at Tickhill, in Yorkshire, during the year 1621. His father was minister of Hottley, in that county. In 1639 he was of University College, Oxford, and took his bachelor's degree before the breaking out of the civil war, at which time he retired from that city, not choosing to support the king. In 1648, he was made a fellow of his college by the parliament's visitors. He married a daughter of a Dr. Simpson, who resigned to him the living of Pluckley, in Kent, but, quarrelling with the parishioners, he quitted it in 1657 for a fellowship in the newly-erected college at Durham. This being dissolved in 1660, he settled at Islington, and opening a school, pursued a very successful mode of teaching. He then, following the restless suggestions of his nature, went with Colonel Edward Harley to Dunkirk, and resided there as chaplain. When this town was sold, he became vicar of Loutwarden, in Hertfordshire, but left it for the scarcely more beneficial living of St. Mary Stanning, in London. The conflagration in 1666 destroyed his church, and he then went as chaplain to the garrison at Tangier; but when his parish was united with St. Michael,

Wood Street, and this church rebuilt, he was sent for home to be rector of the two. Wood, who was not much disposed to speak well of Roundheads and Puritans, says, he was well versed in Latin, Greek, poetry, and chronology; spent much time and money in the pursuit of alchemy; was fond of instructing children; not very well qualified to advance his own interests; rough and cynical in his manner and nature, "yet absolutely free from covetousness, and I dare say from pride." He died in the house of that factious dissenter, called the *Protestant Joiner*, alias Stephen Colledge (who kept him in his house, had much ado with him, and had been at great charge to keep him in order, for carrying on the cause then in hand), on the 18th of December, 1680. His funeral sermon was preached by the reverend Thomas Jones. In it he was highly eulogised. Dr. Tongue wrote three papers on the motion of the sap in trees, that were printed in the *Philosophical Transactions*, and several works relative to the Popish Plot, and the murder of sir Edmund-bury Godfrey.—Wood's *Athenæ Oxon.* ii. 671, fol.

the duke's religion, he believed every discovery of that sort would raise a flame, which the court would not be able to manage.

The day after that Titus Oates was brought before the council. He was the son of an anabaptist teacher, who afterwards conformed, and got into orders, and took a benefice, as this his son did. He was proud and ill-natured, haughty, but ignorant. He had been complained of for some very indecent expressions concerning the mysteries of the Christian religion. He was once presented for perjury; but he got to be a chaplain in one of the king's ships, from which he was dismissed upon complaint of some unnatural practices, not to be named. He got a qualification from the duke of Norfolk as one of his chaplains; and there he fell into much discourse with the priests that were about that family. He seemed inclined to be instructed in the popish religion. One Hutchinson, a Jesuit, had that work put on him. He was a weak and light-headed man, and afterwards came over to the church of England. Hutchinson was a curate about the city near a year, and came often to me, and preached once for me. He seemed to be a sincere, devout man, who did not at all love the order, for he found they were a deceitful and meddling sort of people. They never trusted him with any secrets, but employed him wholly in making converts: he went afterwards back to that church. So all this was thought a juggle only to cast an odium upon Oates. He told me that Oates and they were always on ill terms: they did not allow Oates above ninepence a day, of which he complained much; and Hutchinson relieved him often. They wished they could be well rid of him, and sent him beyond sea, being on very ill terms with him. This made Hutchinson conclude, that they had not at that time trusted Oates with their secrets. Oates was kept for some time at St. Omers; and from thence sent through France into Spain, and was now returned into England\*. He had been long acquainted with Tonge, and made his first discovery to him; and he, by the means of one Kirby, a chemist, that was sometimes in the king's laboratory, signified the thing to the king. So Tonge had an audience, and told the king a long thread of many passages, all tending to the taking away his life; which the king, as he afterwards told me, knew not what to make of: yet among so many particulars, he did not know but there might be some truth. So he sent him to lord Danby, who intended to make some use of it, but could not give much credit to it, and handled the matter too remissly; for, if at first the thing had been traced quickly, either the truth or the imposture of the whole affair might have been made appear. The king ordered lord Danby to say nothing of it to the duke. In the mean while some letters of an odd strain, relating to plots and discoveries, were sent by the post to Windsor, directed to Beddingfield, the duke's confessor: who, when he had read them, carried them to the duke, and protested he did not know what they meant, nor from whom they came. The duke carried them to the king, and he fancied they were written either by Tonge or Oates, and sent on design to have them intercepted, to give the more credit to the discovery. The duke's enemies on the other hand gave out, that he had got some hints of the discovery, and brought these as a blind to impose on the king. The matter lay in a secret and remiss management for six weeks.

At last, on Michaelmas Eve, Oates was brought before the council, and entertained them with a long relation of many discourses he had heard among the Jesuits, of their design to kill the king. He named persons, places, and times, almost without number. He said, many Jesuits had disguised themselves, and were gone to Scotland, and held field conventicles, on design to distract the government there. He said, he was sent first to St. Omer's, thence to Paris, and from thence to Spain, to negotiate this design; and that upon his return, when he brought many letters and directions from beyond sea, there was a great meeting of

\* Titus Oates was born about the year 1619. His father was a baptist minister. He was educated at Merchant Tailor's school, and Cambridge, where he entered into holy orders. In 1677 he professed the Roman Catholic religion, and was admitted into the Jesuit society. On his return to England he again joined the protestant church. For his informations and proceedings concerning the popish plot, he obtained from the ministers of Charles the Second, a pension of 1,200*l.* a year; but when

James succeeded to the crown, Oates was justly condemned as a perjurer, fined 2,000 marks, pillored, twice whipped, stripped of his canonicals, and committed to imprisonment for life. In the reign of William the Third he was released, and given a yearly pension of 400*l.* He declared himself an anabaptist at the time of his death in 1705.—North's Examen; Grey's Examination of Neale's Hist. of Puritans.

the Jesuits held in London, in April last, in different rooms in a tavern near St. Clement's; and that he was employed to convey the resolutions of those in one room to those in another, and so to hand them round. The issue of the consultation was, that they came to a resolution to kill the king, by shooting, stabbing, or poisoning him; that several attempts were made, all which failed in the execution, as shall be told when the trials are related. While he was going on, waiting for some certain evidence to accompany his discovery, he perceived they were jealous of him; and so he durst not trust himself among them any more. In all this there was not a word of Coniers, of whom Tonge had spoken to me. So that was dropped. This was the substance of what Oates told the first day. Many Jesuits were upon this seized on that night, and the next day; and their papers were sealed up next day. He accused Coleman of a strict correspondence with P. de la Chaise; (whose name he had not right, for he called him Father Le Shee :) and he said in general, that Coleman was acquainted with all their designs.

Coleman had a whole day free to make his escape, if he thought he was in any danger; and he had conveyed all his papers out of the way; only he forgot a drawer under the table, in which the papers relating to 74, 75, and a part of 76 were left. And from these I drew the negotiations, that I have formerly mentioned as directed by him. If he had either left all his papers, or withdrawn all, it had been happy for his party. Nothing had appeared, if all his papers had been put out of the way: but, if all had been left, it might have been concluded, that the whole secret lay in them. But he left enough to give great jealousy; and, no more appearing, all was believed that the witnesses had deposed. Coleman went out of the way for a day, hearing that there was a warrant out against him; but he delivered himself the next day to the secretary of state. When Oates and he were confronted, Oates did not know him at first; but he named him when he heard him speak; yet he only charged him upon hearsay; so he was put in a messenger's hands. Oates named Wakeman, the queen's physician, but did not know him at all. And being asked if he knew anything against him, he answered he did not; adding, God forbid he should say anything more than he knew; he would not do that for all the world: nor did he name Langhorn, the famous lawyer, that indeed managed all their concerns. The king found him out in one thing. He said, when he was in Spain, he was carried to Don John, who promised great assistance in the execution of their designs. The king, who knew Don John well, asked him what sort of a man he was: he answered, he was a tall lean man. Now Don John was a little fat man. At first he seemed to design to recommend himself to the duke and the ministers: for he said, he heard the Jesuits oft say, that the duke was not sure enough to them; and they were in doubt, whether he would approve of their killing the king; but they were resolved, if they found him stiff in that matter, to despatch him likewise. He said, they had oft made use of his name, and counterfeited his hand and seal without his knowledge. He said, the Jesuits cherished the faction in Scotland against duke Lauderdale; and intended to murder the duke of Ormond, as a great enemy to all their designs: and he affirmed, he had seen many letters, in which these things were mentioned, and had heard them oft spoken of. He gave a long account of the burning of London, at which they intended to have killed the king; but they relented, when they saw him so active in quenching the fire, which, as he said, they had kindled.

The whole town was all over inflamed with this discovery. It consisted of so many particulars, that it was thought to be above invention: but when Coleman's letters came to be read and examined, it got a great confirmation; since by those it appeared, that so many years before they thought the design for the converting the nation, and rooting out the pestilent heresy that had reigned so long in these northern kingdoms, was very near its being executed; mention was oft made of the duke's great zeal for it; and many indecent reflections were made on the king, for his inconstancy, and his disposition to be brought to anything for money: they depended on the French king's assistance: and therefore were earnest in their endeavours to bring about a general peace, as that which must finish their design.

On the second day after this discovery, the king went to Newmarket. This was censured as a very indecent levity in him, to go and see horse-races, when all people were so much possessed with this extraordinary discovery, to which Coleman's letters had gained an



universal credit. While the king was gone, Tonge desired to speak with me : so I went to him to Whitehall, where both he and Oates were lodged under a guard. I found him so lifted up, that he seemed to have lost the little sense he had. Oates came in, and made me a compliment, that I was one that was marked out to be killed. He had before said the same to Stillingfleet of him : but he made that honour which he did us too cheap, when he said Tonge was to be served in the same manner, because he had translated the Jesuits' morals into English. He broke out into great fury against the Jesuits, and said, he would have their blood. But I, to divert him from that strain, asked him, what were the arguments that prevailed on him to change his religion, and to go over to the church of Rome ? He upon that stood up, and laid his hands on his breast, and said, God and his holy angels knew, that he had never changed, but that he had gone among them on purpose to betray them. This gave me such a character of him, that I could have no regard to anything he either said or swore after that.

A few days after this, a very extraordinary thing happened, that contributed more than any other thing to the establishing the belief of all this evidence. Sir Edmondbury Godfrey was an eminent justice of peace, that lived near Whitehall. He had the courage to stay in London, and keep things in order during the plague ; which gained him much reputation, and upon which he was knighted. He was esteemed the best justice of peace in England, and kept the quarter where he lived in very good order. He was then entering upon a great design of taking up all beggars and putting them to work. He was thought vain, and apt to take too much upon him. But there are so few men of a public spirit, that small faults, though they lessen them, yet ought to be gently censured. I knew him well, and never had reason to think him faulty that way \*. He was a zealous protestant, and loved the church of England ; but had kind thoughts of the non-conformists, and was not forward to execute the laws against them. And he, to avoid being put on doing that, was not apt to search for priests or mass-houses. So that few men of his zeal lived in better terms with the papists than he did. Oates went to him the day before he appeared at the council-board, and made oath of the narrative he intended to make, which he afterwards published. This seemed to be done in distrust of the privy council, as if they might stifle his evidence ; which to prevent he put it in safe hands. Upon that Godfrey was chid for his presuming to meddle in so tender a matter. And it was generally believed, that Coleman and he were long in a private conversation, between the time of his (Coleman's) being put in the messenger's hands, and his being made a close prisoner : which was done as soon as report was made to the council of the contents of his letters. It is certain, Godfrey grew apprehensive and reserved ; for, meeting me in the street, after some discourse of the present state of affairs, he said, he believed he himself should be knocked on the head : yet he took no care of himself, and went about according to his own maxim, still without a servant : for he used to say, that the servants in London were corrupted by the idleness and ill company they fell into, while they attended on their masters. On the day fortnight from that in which Oates had made his discovery, being Saturday, he went abroad in the morning, and was seen about one o'clock near St. Clement's church ; but was never seen any more. He was a punctual man to good hours : so his servants were amazed when he did not come home. Yet, he having an ancient mother that lived at Hammersmith, they fancied, he had heard she was dying, and so was gone to see her. Next morning they sent thither, but heard no news of him ; so his two brothers, who lived in the city, were sent to. They were not acquainted with his affairs, so they did not know whether he might not have stepped aside for debt ; since at that time all people were calling in their money, which broke a great many. But, no creditors coming about the house, they on Tuesday published his being thus lost. The council sat upon it, and were going to order a search of all the houses about the town ; but were diverted from it by many stories that were brought them by the duke of Norfolk. Sometimes it was said, he was indecently married : and the scene was often shifted of the places where it was said he was. The duke of Norfolk's officiousness in this matter, and the last place he was seen at being near Arundel house, brought him under great suspicion. On

\* That is, in taking too much upon him.—Note by author's son.

Thursday, one came into a bookseller's shop, after dinner, and said, he was found thrust through with a sword. That was presently brought as news to me; but the reporter of it was not known. That night late his body was found in a ditch, about a mile out of the town, near St. Pancras church. His sword was thrust through him; but no blood was on his clothes, or about him. His shoes were clean; his money was in his pocket, but nothing was about his neck; and a mark was all round it, an inch broad, which showed he was strangled. His breast was likewise all over marked with bruises, and his neck was broken. All this I saw; for Dr. Lloyd and I went to view his body. There were many drops of white wax-lights on his breeches, which he never used himself. And since only persons of quality, or priests, use those lights, this made all people conclude in whose hands he must have been. And it was visible he was first strangled, and then carried to that place, where his sword was run through his dead body. For a while it was given out, that he was a hypochondriacal man, and had killed himself. Of this the king was possessed, till Dr. Lloyd went and told him what he had seen. The body lay two days exposed, many going to see it, who went away much moved with the sight. And indeed men's spirits were so sharpened upon it, that we all looked on it as a very great happiness, that the people did not vent their fury upon the papists about the town\*.

The session of parliament was to be opened within three days; and it may be easily imagined in what a temper they met. The court party were out of countenance: so the country party were masters this session. All Oates's evidence was now so well believed, that it was not safe for any man to seem to doubt of any part of it. He thought he had the nation in his hands, and was swelled up to a high pitch of vanity and insolence. And now he made a new edition of his discovery at the bar of the house of commons. He said, the Pope had declared that England was his kingdom, and that he had sent over commissions to several persons; and had by these made lord Arundel of Wardour, chancellor; lord Powis, treasurer; sir William Godolphin, then in Spain, privy seal; Coleman, secretary of state; lord Bellasis, general; lord Petre, lieutenant-general; Ratcliffe, major-general; Stafford, paymaster-general; and Langhorn advocate-general; besides many other commissions for subaltern officers†. These, he said, he saw in Langhorn's chamber; and that he had delivered out many of them himself, and saw many more delivered by others. And he now swore, upon his own knowledge, that both Coleman and Wakeman were in the plot; that Coleman had given eighty guineas to four ruffians, that went to Windsor last summer to stab the king; that Wakeman had undertaken to poison him, for which 10,000*l.* were offered him, but that he got the price raised to 15,000*l.* He excused his not knowing them, when confronted with them; and said, that he was then so spent by a long examination, and by not sleeping for two nights, that he was not then master of himself; though it seemed very strange, that he should then have forgotten that which he made now the main part of his evidence, and should have then objected to them only reports upon hearsay, when he had such matter against them, as he now said, upon his own knowledge. And it seemed not very congruous, that those who went to stab the king had but twenty guineas apiece, when Wakeman was to have 15,000*l.* for a safer way of killing him. Many other things in the discovery made it seem ill digested, and not credible. Bellasis was almost perpetually ill of the gout. Petre was a weak man, and had never any military command. Ratcliffe was a man that lived in great state in the north, and had not stirred from home all the last summer. Oates also swore, he delivered a commission to be a colonel, in May last, to Howard, the earl of Carlisle's brother, that had married the duchess of Richmond. But a friend of mine told me, he was all that month at Bath, lodged in the same house with Howard, with

\* Very trivial circumstances are allowed by the ignorant to assume an importance to which they are not entitled, especially if they are sustained by superstition. Thus the imperfect anagram of sir Edmundbury Godfrey's name (I find murdered by rogues) helped to convince the multitude that the papists were the instruments of his murder. —*Grainger's Biog. Hist.* So general was the alarm, that the papists were in league against all that supported the protestants, that we find from the Journal of the House of

Commons, Oct. 28, 1678, "that there being a discourse of blowing up the two houses of parliament, and this the day for executing the same," a committee was appointed to search the rooms beneath.

† Thus Mr. John Lambert was to be adjutant-general; Mr. Arundel, of Wardour, commissary-general; and sir George Wakeman, physician to the forces. — Oates's Narrative of the Popish Plot, published in 1679.

whom he was every day engaged at play. He was then miserably ill of the gout, of which he died soon after. Oates did also charge general Lambert, as one engaged in the design, who was to have a great post, when set at liberty: but he had been kept in prison ever since the Restoration; and by that time had lost his memory and sense. But it was thought strange, that since Oates had so often said, what I once heard him say, that he had gone in among them on design to betray them, that he had not kept any one of all these commissions to be real proof in support of his evidence. He had also said to the king, that whereas others ventured their lives to serve him, he had ventured his soul to serve him: and yet he did suffer the four ruffians to go to Windsor to kill him, without giving him any notice of his danger. These were characters strong enough to give suspicion, if Coleman's letters, and Godfrey's murder, had not seemed such authentic confirmations as left no room to doubt of any thing. Tillotson indeed told me, that Langhorn's wife, who was still as zealous a protestant as he was a papist, came oft to him, and gave him notice of every thing she could discover among them; though she continued a faithful and dutiful wife to the last minute of her husband's life. Upon the first breaking out of the plot, before Oates had spoken a word of commissions, or had accused Langhorn, she engaged her son into some discourse upon those matters, who was a hot, indiscreet papist. He said, their designs were so well laid, it was impossible they could miscarry; and that his father would be one of the greatest men of England: for he had seen a commission from the Pope, constituting him advocate-general. This he told me in Stillingfleet's hearing.

The earl of Shaftesbury had got out of the Tower in the former session, upon his submission, to which it was not easy to bring him; but when he saw an army raised, he had no mind to lie longer in prison. The matter bore a long debate; the motion he had made in the king's bench being urged much against him: but a submission always takes off a contempt, so he got out. And now the duke of Buckingham and he, with the lords Essex and Halifax, were the governing men among the lords. Many hard things were said against the duke: yet when they tried to carry an address to be made to the king to send him away from court, the majority was against them.

While things were thus in a ferment at London, Bedlow delivered himself to the magistrates of Bristol, pretending he knew the secret of Godfrey's murder. So he was sent up to London. The king told me that when the secretary examined him in his presence, at his first coming he said he knew nothing of the plot, but that he had heard that forty thousand men were to come over from Spain, who were to meet as pilgrims at St. Jago's, and were to be shipped for England; but he knew nothing of any fleet that was to bring them over. So this was looked on as very extravagant. But he said he had seen Godfrey's body at Somerset House, and that he was offered 4000*l.*, by a servant of the lord Bellasis, to assist in carrying it away; but upon that he had gone out of town to Bristol, where he was so pursued with horror, that it forced him to discover it. Bedlow had led a very vicious life. He had gone by many false names, by which he had cheated many persons. He had gone over many parts of France and Spain as a man of quality. And he had made a shift to live on his wits, or rather by his cheats. So a tenderness of conscience did not seem to be that to which he was much subject\*. But the very next day after this, when he was brought to the bar of the house of lords, he made a full discovery of his knowledge of the plot, and of the lords in the Tower: for all those against whom Oates had informed were now prisoners. The king was upon this convinced that some had been with Bedlow after he had been before him, who had instructed him in this narration, of which he had said the night before that he knew nothing; and yet he not only confirmed the main parts of Oates's discoveries, but added a great deal to them. And he now pretended that his rambling over so many places of Europe was all in order to the carrying on this design; that he was trusted with the secret, and had opened many of the letters which he was employed to carry.

\* William Bedlow had formerly been a servant to lord Bellasis, but afterwards, obtaining an ensigncy, served with the army in Flanders. About Michaelmas, 1674, he came over with a recommendation from the English abbas at Dunkirk, and by degrees becoming acquainted with the Jesuits, was finally employed by them confiden-

tially, and travelled over the Continent in various disguises as their agent.—(Hist. of the Plot, p. 127.) When he came to London from Bristol, he was lodged at Whitehall, and a guard assigned him. The house of commons voted him 500*l.* for his services. — (Raspin's History.)



Here were now two witnesses to prove the plot, as far as swearing could prove it. And among the papers of the Jesuits, that were seized on when they were clapped up, two letters were found that seemed to confirm all. One from Rome mentioned the sending over the patents: of which it was said in the letter, that they guessed the contents, though their patrons there carried their matters so secretly, that nothing was known but as they thought fit. The Jesuits, when examined upon this, said these were only patents with relation to the offices in their order. Another letter was written to a Jesuit in the country, citing him to come to London by the 24th of April; which was the day in which Oates swore they held their consult, and that fifty of them had signed the resolution of killing the king, which was to be executed by Grove and Pickering. In the end of that letter it was added "I need not enjoin secrecy, for the nature of the thing requires it." When the Jesuit was examined to this, he said it was a summons for a meeting according to the rule of their order; and they being to meet during the sitting of the parliament, that was the particular reason for enjoining secrecy. Yet, while men's minds were strongly possessed, these answers did not satisfy, but were thought only shifts.

At this time Carstairs, of whose behaviour in Scotland mention has been made, not having met with those rewards that he expected, came up to London, to accuse duke Lauderdale as designing to keep up the opposition that was made to the laws in Scotland, even at the time that he seemed to prosecute conventicles with the greatest fury; for that he had often drawn the chief of their teachers into such snares, that upon the advertisements that he gave they might have been taken, but that duke Lauderdale had neglected it; so he saw he had a mind that conventicles should go on, at the same time that he was putting the country in such a flame to punish them. This he undertook to prove by those witnesses of whom on other occasions he had made use. He also confessed the false date of that warrant upon which Baillie had been censured. He put all this in writing and gave it to the marquis of Athol; and pressed him to carry him to duke Hamilton and the earl of Kincardine, that he might beg their pardon and be assured of their favour. I was against the making use of so vile a man, and would have nothing to do with him. He made application to lord Cavendish, and to some of the house of commons, to whom I gave such a character of him, that they would see him no more.

While he was thus looking about where he could find a lucky piece of villany, he happened to go into an eating-house in Covent Garden, that was over against the shop of one Staley, the popish banker, who had been in great credit, but was then under some difficulties: for all his creditors came to call for their money. Staley happening to be in the next room to Carstairs, Carstairs pretended he heard him say in French, that the king was a rogue, and persecuted the people of God; and that he himself would stab him if nobody else would. The words were written down, which he resolved to swear against him. So next morning he and one of his witnesses went to him, and told him what they would swear against him, and asked a sum of money of him. He was in much anxiety and saw great danger on both hands. Yet he chose rather to leave himself to their malice than be preyed on by them. So he was seized on, and they swore the words against him; and he was appointed to be tried within five days. When I heard who the witnesses were, I thought I was bound to do what I could to stop it. So I sent both to the lord-chancellor\*, and to the attorney-general, to let them know what profligate wretches these witnesses were. Jones, the attorney-general, took it ill of me, that I should disparage the king's evidence. The thing grew public, and raised great clamour against me. It was said, I was taking this method to get into favour at court. I had likewise observed to several persons of weight how many incredible things there were in the evidence that was given; I wished they would make use of the heat the nation was in to secure us effectually from popery; we saw certain evidence to carry us so far as to graft that upon it; but I wished they would not run too hastily to the taking men's lives away upon such testimonies. Lord Hollis had more temper than I expected from a man of his heat. Lord Halifax was of the same mind. But the earl of Shaftesbury could not bear the discourse. He said, we must support the

\* Sir Heneage Finch, Baron Finch, afterwards Earl of Nottingham.

evidence, and that all those who undermined the credit of the witnesses were to be looked on as public enemies. And so inconstant a thing is popularity, that I was most bitterly railed at by those who seemed formerly to put some confidence in me. It went so far that I was advised not to stir abroad for fear of public affronts. But these things did not daunt me. Staley was brought to his trial, which did not hold long. The witnesses gave a full evidence against him, and he had nothing to offer to take away their credit. He only showed how improbable it was that, in a public house, he should talk such things with so loud a voice as to be heard in the next room, in a quarter of the town where almost everybody understood French. He was cast \*; and he prepared himself very seriously for death. Dr. Lloyd went to see him in prison. He was offered his life if he would discover their plots. He protested he knew of none; and that he had not said the words sworn against him, nor anything to that purpose. And he died the first of those who suffered on the account of the plot. Duke Lauderdale, having heard how I had moved in this matter, railed at me with open mouth. He said I had studied to save Staley for the liking I had to any one that would murder the king. And he infused this into the king, so that he repeated it in the house of lords to a company that were standing about him.

Yet so soon could the king turn to make use of a man whom he had censured so unmercifully, that two days after this he sent the earl of Dunbarton, that was a papist and had been bred in France, and was duke Hamilton's brother, to me, to desire me to come to him secretly, for he had a mind to talk with me. He said he believed I could do him service if I had a mind to it. And the see of Chichester being then void, he said, he would not dispose of it till he saw whether I would deserve it or not. I asked if he fancied I would be a spy, or betray anybody to him. But he undertook to me that the king should ask me no question, but should in all points leave me to my liberty.

An accident fell in before I went to him, which took off much from Oates's credit. When he was examined by the house of lords, and had made the same narrative to them that he had offered to the commons, they asked him if he had now named all the persons whom he knew to be involved in the plot? He said there might be some inferior persons whom he had perhaps forgotten, but he had named all the persons of note. Yet, it seems, afterwards he bethought himself; and Mrs. Elliot, wife to Elliot of the bedchamber, came to the king and told him Oates had somewhat to swear against the queen, if he would give way to it. The king was willing to give Oates line enough, as he expressed it to me, and seemed to give way to it. So he came out with a new story, that the queen had sent for some Jesuits to Somerset House; and that he went along with them, but stayed at the door when they went in: where he heard one, in a woman's voice, expressing her resentments of the usage she had met with, and assuring them she would assist them in taking off the king. Upon that he was brought in, and presented to her; and there was then no other woman in the room but her. When he was bid describe the room, it proved to be one of the public rooms of that court, which are so great that the queen, who was a woman of a low voice, could not be heard over it, unless she had strained for it. Oates, to excuse his saying that he could not lay anything to the charge of any besides those he had already named, pretended that he thought then it was not lawful to accuse the queen. But this did not satisfy people. Bedlow, to support this, swore that, being once at chapel at Somerset House, he saw the queen, the duke, and some others, very earnest in discourse in the closet above; and that one came down with much joy and said the queen had yielded at last; and that one explained this to him beyond sea, and said it was to kill the king. And, besides Bedlow's oath that he saw Godfrey's body in Somerset House, it was remembered that at that time the queen was for some days in close retirement, that no person was admitted. Prince Rupert came then to wait on her, but was denied access. This raised a strange suspicion of her. But the king would not suffer that matter to go any farther †.

\* See "State Trials."

† The testimony of Bedlow and Oates is given in the "Clarendon Correspondence," i. 52. Charles the Second, upon this occasion, acted with honourable firmness. "They think," he observed, after hearing the evidence, "I have a mind to a new wife; but for all that I will not see an innocent woman abused." Oates had now

gone too far; he was closely imprisoned and his papers seized.—(Ralph's Hist. of England; Grey's Debates, vi. 291.) In this last authority it will be seen that the house of commons passed a resolution, to request the peers to join them in an address to the king, for the removal of the queen and all papists from about his person.

While examinations were going on, and preparation was making for the trial of the prisoners, a bill was brought into the house of commons, requiring all members of either house, and all such as might come into the king's court, or presence, to take a test against popery; in which not only transubstantiation was renounced, but the worship of the Virgin Mary and the Saints, as it was practised in the church of Rome, was declared to be idolatrous. This passed in the house of commons without any difficulty. But in the house of lords, Gunning, bishop of Ely, maintained that the church of Rome was not idolatrous. He was answered by Barlow, bishop of Lincoln\*. The lords did not much mind Gunning's arguments, but passed the bill. And though Gunning had said that he could not take that test with a good conscience, yet, as soon as the bill was passed, he took it in the crowd with the rest. The duke got a proviso to be put in it for excepting himself. He spoke upon that occasion with great earnestness and with tears in his eyes. He said he was now to cast himself upon their favour in the greatest concern he could have in this world. He spoke much of his duty to the king, and of his zeal for the nation; and solemnly protested that, whatever his religion might be, it should only be a private thing between God and his own soul, and that no effect of it should ever appear in the government. The proviso was carried for him by a few voices†. And, contrary to all men's expectations, it passed in the house of commons. There was also a proviso put in, excepting nine ladies about the queen. And she said she would have all the ladies of that religion cast lots who should be comprehended. Only she named the duchess of Portsmouth as one whom she would not expose to the uncertainty of a lot, which was not thought very decent in her, though her circumstances at that time required an extraordinary submission to the king in everything.

Coleman was brought to his trial. Oates and Bedlow swore flatly against him, as was mentioned before. He denied that he had ever seen either the one or the other of them in his whole life: and defended himself by Oates not knowing him, when they were first confronted, nor objecting those matters to him for a great while after. He also pressed Oates to name the day in August in which he had sent the fourscore guineas to the four ruffians. But Oates would fix on no day, though he was very punctual in matters of less moment. Coleman had been out of town almost that whole month. But no day being named, that served him in no stead. He urged the improbability of his talking to two such men, whom he had, by their own confession, never seen before. But they said, he was told that they were trusted with the whole secret. His letters to P. de la Chaise were the heaviest part of the evidence. He did not deny that there were many impertinent things in his letters; but he said he intended nothing in them, but the king's service and the duke's; he never intended to bring in the catholic religion by rebellion or by blood, but only by a toleration; and the aid that was prayed from France was only meant the assistance of money and the interposition of that court. After a long trial he was convicted, and sentence passed upon him to die as a traitor. He continued to his last breath denying every tittle of that which the witnesses had sworn against him. Many were sent to him from both houses, offering to interpose for his pardon if he would confess. He still protested his innocence, and took great care to vindicate the duke. He said, his own heat might make him too forward; for, being persuaded of the truth of his religion, he could not but wish that all others were not only almost, but altogether, such as he was, except in that chain: for he was then in irons. He confessed he had mixed too much interest for raising himself in all he did; and that he had received 2500 guineas from the French ambassador, to gain some friends to his master,

\* Dr. Thomas Barlow was a native of Westmorland, and born in 1607. He was educated at Appleby Free-school, and Queen's College, Oxford. His political principles seem to have been always to submit to the prevailing power. He was promoted, or at least favoured, by Charles the First, the Parliament, Charles the Second, James the Second, and William the Third. As a philosopher, he is an instance how prejudices cling to an old man, for he reprobated and opposed the Royal Society and Experimental Philosophy that was superseding the dogmatism of Aristotle. In his religious opinions, he was an inter-

perate Calvinist; but a friend of general toleration. As a bishop, he neglected his duty, for he never was in his cathedral, or visited his diocese; so that living constantly at Bugden, he acquired the description of "the Bishop of Bugden that never saw Lincoln." He is most to be estimated as a scholar, a metaphysician, and the friend of literary men. He was made bishop of Lincoln in 1675. He died in 1691.—Wood's *Athenæ Oxon.*; *Biog. Britan.*

† The majority exceeded the minority by only two.—Chandler's *Debates*.



but that he had kept them to himself: he had acted by order in all that he had done; and he believed the king knew of his employment, particularly that at Brussels. But though he seemed willing to be questioned concerning the king, the committee did not think fit to do it, nor to report what he said concerning it; only in general they reported that he spoke of another matter, about which they did not think fit to interrogate him, nor to mention it. Littleton was one of the committee, and gave me an account of all that passed that very night. And I found his behaviour made great impression on them all. He suffered with much composedness and devotion; and died much better than he had lived. It was given out at that time, to make the duke more odious, that Coleman was kept up from making confessions, by the hopes the duke sent him of a pardon at Tyburn. But he could not be so ignorant as not to know that, at that time, it was not in the king's power to pardon him while the tide went so high\*.

The nation was now so much alarmed that all people were furnishing themselves with arms, which heightened the jealousy of the court. A bill passed in both houses for raising all the militia, and for keeping it together for six weeks; a third part, if I remember right, being to serve a fortnight, and so round. I found some of them hoped when that bill passed into a law they would be more masters, and that the militia would not separate till all the demands of the two houses should be granted. The king rejected the bill when offered to him for his assent†.

I waited often on him all the month of December. He came to me to Chiffinch's, a page of the back stairs, and kept the time he assigned me to a minute. He was alone, and talked much and very freely with me. We agreed in one thing, that the greatest part of the evidence was a contrivance. But he suspected some had set on Oates, and instructed him: and he named the earl of Shaftesbury. I was of another mind. I thought the many gross things in his narrative showed there was no abler head than Oates, or Tonge, in the framing it; and Oates in his first story had covered the duke and the ministers so much, that from thence it seemed clear that lord Shaftesbury had no hand in it, who hated them much more than he did popery. He fancied there was a design of a rebellion on foot. I assured him I saw no appearances of it. I told him there was a report breaking out, that he intended to legitimate the duke of Monmouth. He answered quickly, that, as well as he loved him, he had rather see him hanged. Yet he apprehended a rebellion so much that he seemed not ill-pleased that the party should flatter themselves with that imagination, hoping that would keep them quiet in a dependence upon himself: and he suffered the duke of Monmouth to use all methods to make himself popular, reckoning that he could keep him in his own management. He was surprised when I told him that Coleman had insinuated that he knew of all their foreign negotiations, or at least he seemed so to me. I pressed him much to oblige the duke to enter into conferences with some of our divines, and to be present at them himself. This would very much clear him of jealousy, and might have a good effect on his brother; at least it would give the world some hopes: like what Henry the Fourth of France, his grandfather, did, which kept a party firm to him for some time before he changed. He answered that his brother had neither Henry the Fourth's understanding nor his conscience: for he believed that king was always indifferent as to those matters. He would not hearken to this, which made me incline to believe a report I had heard that the duke had got a solemn promise of the king that he would never speak to him of religion. The king spoke much to me concerning Oates's accusing the queen, and acquainted me with the whole progress of it. He said she was a weak woman and had some disagreeable humours, but was not capable of a wicked thing; and, considering his faultiness towards her in other things, he thought it a horrid thing to abandon her. He said he looked on falsehood and cruelty as the greatest crimes in the sight of God; he knew he had led a bad life, (of which he spoke with some sense,) but he was breaking himself of all his faults; and he would never do a base and wicked thing. I spoke on all these subjects what I thought became me,

\* See the "State Trials," where Coleman's letters and the evidence are given verbatim.

† The king said that the bill put the militia for so

many days out of his power, and that was what he would not comply with, even for half an hour.—*Clauder's Debates, House of Lords, l. 223.*

which he took well. And I encouraged him much in his resolution of not exposing the queen to perish by false swearing. I told him there was no possibility of laying the heat that was now raised but by changing his ministry. And I told him how odious the earl of Danby was, and that there was a design against him; but I knew not the particulars. He said he knew that lay at bottom. The army was not yet disbanded, and the king was in great straits for money. The house of commons gave a money bill for this. Yet they would not trust the court with the disbanding the army, but ordered the money to be brought into the chamber of London, and named a committee for paying off and breaking the army. I perceived the king thought I was reserved to him, because I would tell him no particular stories nor name persons. Upon which I told him, since he had that opinion of me, I saw I could do him no service, and would trouble him no more; but he should certainly hear from me, if I came to know anything that might be of any consequence to his person or government.

This favour of mine lasted all the month of December '78. I acquainted him with Carstairs's practice against duke Lauderdale, and all that I knew of that matter; which was the ground on which I had gone with relation to Staley. The king told duke Lauderdale of it, without naming me. And he sent for Carstairs and charged him with it. Carstairs denied it all; but said that duke Hamilton and lord Kincardine had pressed him to do it; and he went to the king and affirmed it confidently to him. He did not name lord Athol, hoping that he would be gentle to him for that reason. The king spoke of this to duke Hamilton, who told him the whole story as I had done. Lord Athol upon that sent for Carstairs and charged him with all this foul dealing, and drew him near a closet where he had put two witnesses. Carstairs said that somebody had discovered the matter to duke Lauderdale, that he was now upon the point of making his fortune, and that if duke Lauderdale grew to be his enemy he was undone. He confessed he had charged duke Hamilton and lord Kincardine falsely; but he had no other way to save himself. After the marquis of Athol had thus drawn everything from him, he went to the king with his two witnesses, and the paper that Carstairs had formerly put in his hand. Carstairs was then with the king, and was with many imprecations justifying his charge against the two lords; but he was confounded when he saw lord Athol. And upon that his villany appeared so evidently, that the part I had acted in that matter was now well understood and approved of. Carstairs died not long after under great horror, and ordered himself to be cast into some ditch as a dog, for he said he was no better. But I could never hear what he said of Staley's business.

While all matters were in this confusion, a new incident happened that embroiled them yet more. The earl of Danby had broken with Montague; but he knew what letters he had written to him and with what secrets he had trusted him. He apprehended Montague might accuse him, so he resolved to prevent him. Jenkins, who was then at Nimeguen, wrote over, according to a direction sent him, as was believed, that he understood that Montague had been in a secret correspondence, and in dangerous practices with the Pope's nuncio at Paris. This was meant of one Con, whom I knew well, who had been long in Rome; and most of the letters between England and Rome passed through his hands. He was a crafty man, and knew news well, and loved money: so Montague made use of him, and gave him money for such secrets as he could draw from him. Upon Jenkins's letter the king sent a message to the house of commons, letting them know that he was resolved to bring Montague to a trial, for being a confederate with Rome, and in the plot to bring in popery; and at the same time he sent to secure his cabinets and papers. This was a device of lord Danby's to find his own letters and destroy them; and then to let the prosecution fall, for they knew they had nothing against Montague. But Montague understood the arts of a court too well to be easily caught, and had put a box, in which those letters were, in sure hands out of the way. A great debate rose upon this matter in the house of commons. It was thought a high breach of privilege to seize on the papers of a member of their house, when there was nothing of treason sworn against him. After some hours spent in the debate, during which Montague sat silent very long; at last, when the box was brought to him from the person to whom he had trusted it, he opened it, and took out two of lord Danby's letters, that contained instructions to him to

treat with the king of France for 300,000*l.* a year, for three years, if a peace succeeded, since it would not be convenient for the king to meet a parliament in all that time, and he was charged to mention no part of this to the secretary of state. Winnington, who from small beginnings, and from as small a proportion of learning in his profession, in which he was rather bold, and ready, than able, was now come to be solicitor-general, fell severely upon those letters. He said, here was a minister who, going out of the affairs of his own province, was directing the king's ambassadors, and excluding the secretary of state, whose office it was, from the knowledge of it; here was the faith of England to our allies, and our interest likewise, set to sale for French money, and that to keep off a session of parliament: this was a design to sell the nation, and to subvert the government; and he concluded that was high treason. Upon which he moved that lord Danby should be impeached of high treason. The earl of Danby's party was much confounded. They could neither deny nor justify his letters. But they argued that they could not be high treason, since no such fact was comprehended in any of the statutes of treason. The letters seemed to be written by the king's order, who certainly might appoint any person he pleased to send his orders to his ministers abroad: they reflected on the business of the earl of Strafford, and on constructive treason, which was a device to condemn a man for a fact against which no law did lie. Maynard, an ancient and eminent lawyer, explained the words of the statute of 25 Edward the Third, that the courts of law could not proceed but upon one of the crimes there enumerated; but the parliament had still a power, by the clause in that act, to declare what they thought was treason. So an act passed, declaring poisoning treason, in king Henry the Eighth's time; and, though by the statute it was only treason to conspire against the prince of Wales, yet if one should conspire against the whole royal family, when there was no prince of Wales, they would without doubt declare that to be high treason.

After a long debate it was voted by a majority of above seventy voices, that lord Danby should be impeached of high treason. And the impeachment was next day carried up to the lords. The earl of Danby justified himself, that he had served the king faithfully and according to his own orders. And he produced some of Montague's letters, to show that at the court of France he was looked on as an enemy to their interest\*. He said, they knew him well that judged so of him, for he was indeed an enemy to it; and, among other reasons, he gave this for one: that he knew the French king held both the king's person and government under the last degree of contempt. These words were thought very strange with relation to both kings. A great debate arose in the house of lords concerning the impeachment: whether it ought to be received as an impeachment of high treason, only because the commons added the word high treason in it. It was said, the utmost that could be made of it was to suppose it true; but even in that case they must needs say plainly that it was not within the statute. To this it was answered, that the house of commons that brought up the impeachment were to be heard to two points: the one was to the nature of the crime, the other was to the trial of it; but the lords could not take upon them to judge of either of these till they heard what the commons could offer to support the charge; they were bound therefore to receive the charge, and to proceed according to the rules of parliament, which were to commit the person so impeached, and then give a short day for his trial: so it would be soon over, if the commons could not prove the matter charged to be high treason. The debate went on with great heat on both sides; but the majority was against the commitment. Upon this, it was visible the commons would have complained that the lords denied them justice. So there was no hope of making up the matter. And upon that the parliament was prorogued†.

\* Two of these letters, with the speech made by lord Danby, were published in a small pamphlet. *Penes mihi.*

† Mr. Ralph Montague, whilst ambassador in France, and without consulting our government, had obtained a seat in the house of commons for the town of Northampton, evidently with the intention of obtaining its especial protection from the storm that would soon burst upon him; for Mr. Harbord boasted, in the course of a debate, that for this purpose he had exerted himself in securing

Mr. Montague's election. The latter left Paris without the king's knowledge, and took his seat. Immediately after, sir John Ernly, chancellor of the exchequer, informed the house that the king, having received information that Mr. Montague had held private conferences with the pope's nuncio, had caused his papers to be seized. This was whilst he was attending the house, for he there received a letter from his wife, to inform him of the seizure. Mr. Montague told the house that he believed this was



This was variously censured. The court condemned Montague for revealing the king's secrets. Others said, that since lord Danby had begun to fall on him, it was reasonable and natural for him to defend himself. The letters did cast a very great blemish, not only on lord Danby, but on the king, who, after he had entered into alliances, and had received great supplies from his people to carry on a war, was thus treating with France for money, which could not be asked or obtained from France on any other account but that of making the confederates accept of lower terms than otherwise they would have stood on: which was indeed the selling of the allies and of the public faith. All that the court said in excuse for this was, that since the king saw a peace was resolved on, after he had put himself to so great a charge to prepare for war, it was reasonable for him to be reimbursed as much as he could from France. This was ordinary in all treaties, where the prince that desired a peace was made to buy it. This indeed would have justified the king, if it had been demanded above board, but such underhand dealing was mean and dishonourable; and it was said that the States went into the peace with such unreasonable earnestness upon the knowledge, or at least the suspicion, that they had of such practices. This gave a new wound to the king's credit abroad, or rather it opened the old one; for indeed, after our breaking both the treaty of Breda and the Triple Alliance, we had not much credit to lose abroad. None gained so much by this discovery as secretary Coventry, since now it appeared that he was not trusted with those ill practices. He had been severely fallen on for the famed saying of the murder of forty men. Birch aggravated the matter heavily, and said, it seemed he thought the murder of forty men a very small matter, since he would rather be guilty of it than oppose an alliance made upon such treacherous views. Coventry answered, that he always spoke to them sincerely, and as he thought; and that if an angel from Heaven should come and say otherwise, (at this they were very attentive, to see how he could close a period so strangely begun,) he was sure he should never get back to Heaven again, but would be a fallen and a lying angel. Now the matter was well understood, and his credit was set on a sure foot.

After the prorogation, the earl of Danby saw the king's affairs and the state of the nation required a speedy session. He saw little hope of recovering himself with that parliament,

done to obtain some letters of great consequence, which he had to produce, showing the designs of a great minister of state. But he had secured these documents elsewhere, and, being produced, exposed the base bribe stipulated and accepted by the king, when concluding the peace with France. The most notable paragraphs were these: "In case the conditions of peace shall be accepted, the king expects to have 6,000,000 of livres (300,000*l*), yearly, for three years, from the time that this agreement shall be signed between his majesty and the king of France; because it will be two or three years before he can hope to find his parliament in humour to give him supplies, after your having made peace with France." Subscribed "*Danby*."—"To the secretary of state, Coventry, you must not mention one syllable of the money." At the bottom of the letter were these words, "*This letter is writ by my order. C. R.*" After a stormy debate, the commons resolved to impeach the lord-treasurer, earl Danby, of high treason; and the articles of impeachment were carried up to the house of lords by sir Henry Capel. —*Grey's Debates*, vi. 337, &c.

Mr. Montague succeeded to his father's title, lord Montague, of Boughton, in 1683. He was master of the horse to the queen of Charles the Second; and purchased of the earl of Sandwich the mastership of the great wardrobe. His opposition to the ministry, and his prominent conduct in supporting the exclusion of the duke of York from the throne, made it advisable for him to retire into exile. James the Second deprived him of his patent preferment, but William the Third restored it to him, and created him marquis of Mont Hermer. Queen Anne advanced him to the dukedown of Montague. His characteristics were generosity and a love of magnificence. He rebuilt

the family seat of Boughton, and erected Bloomsbury, or Montague House, now the British Museum. The duke of Marlborough once complimented him upon the excellency of the *water-works* at Boughton, which enabled Montague to return the compliment, by replying that his grace's *fire-works* deserved more commendation. His second wife was the widow of the second duke of Albemarle; her wealth and pride made her insane, and she was positive in resolving to marry no one below an emperor in dignity. Montague courted her and married her as *Emperor of China*. Lord Ross, who was his rival, addressed to him these verses upon the occasion:—

Insulting rival, never boast  
Thy conquest lately won;  
No wonder if her heart was lost  
Her senses first were gone.

From one that's under Bedlam's laws  
What glory can be had?  
For love of thee was not the cause;  
It proves that she was mad.

Montague only desired wealth for the pleasure of spending it; covetousness was not one of his weaknesses. He refused all the lucrative offices proffered to him; and would never take more than 2,200*l*. annually, from his place, though it was worth much more. Lord Preston disputed his title to it, having himself received it as a gift from James the Second; but the judges having decided in favour of Montague, he generously remitted his opponent all the arranges, and paid his costs attending the suit. He died in 1709.—*Grainger's Biog. Hist.*, and *Noble's Continuation*.

in which so great a majority were already so deeply engaged. So he entered into a treaty with some of the country party for a new parliament. He undertook to get the duke to be sent out of the way against the time of its meeting. Lord Hollis, Littleton, Boscawen, and Hambden, were spoken to. They were all so apprehensive of the continuance of that parliament, and that another set of ministers would be able to manage them as the court pleased, that they did undertake to save him if he could bring these things about. But it was understood, that he must quit his post and withdraw from affairs. Upon which they promised their assistance to carry off his impeachment with a mild censure. The duke went into the advice of a dissolution upon other grounds. He thought the house of commons had engaged with so much heat in the matter of the plot, that they could never be brought off, or be made more gentle in the matter of religion. He thought a new parliament would act in a milder strain, and not fly so high; or that they would give no money, and so the king and they would break; for he dreaded nothing so much as the bargains that were made with the present parliament, in which popery was always to be the sacrifice. Thus both the duke and lord Danby joined in advancing a dissolution, which was not resolved on till the January following.

In December, Ireland, Whitebread, and Fenwick, three Jesuits, and Grove and Pickering, two of the servants in the queen's chapel, were brought to their trial. Oates and Bedlow swore home against Ireland, that in August last he had given particular orders about killing the king. Oates swore the same against the other two Jesuits. But Bedlow swore only upon hearsay against them. So, though they had pleaded to their indictment, and the jury was sworn and the witnesses examined, yet, when the evidence was not found full, their trial was put off to another time, and the jury was not charged with them. This looked as if it was resolved that they must not be acquitted. I complained of this to Jones, but he said they had precedents for it. I always thought that a precedent against reason signified no more but that the like injustice had been done before. And the truth is the crown has, or at least had, such advantages in trials of treason, that it seems strange how any person was ever acquitted. Ireland, in his own defence, proved by many witnesses, that he went from London on the second of August to Staffordshire, and did not come back till the twelfth of September. Yet, in opposition to that, a woman swore that she saw him in London about the middle of August. So, since he might have come up post in one day and gone down in another, this did not satisfy. Oates and Bedlow swore against Grove and Pickering, that they undertook to shoot the king at Windsor; that Grove was to have 1500*l.* for it; and that Pickering chose thirty thousand masses, which, at a shilling a mass, amounted to the same sum; they attempted it three several times with a pistol: once the flint was loose, at another time there was no powder in the pan, and the third time the pistol was charged only with bullets. This was strange stuff. But all was imputed to a special providence of God; and the whole evidence was believed. So they were convicted, condemned, and executed. But they denied to the last every particular that was sworn against them\*.

This began to shake the credit of the evidence, when a more composed and credible person came in to support it. One Dugdale, that had been the lord Aston's bailiff, and lived in a fair reputation in the country, was put in prison for refusing the oaths of allegiance and supremacy. He did then, with many imprecations on himself, deny that he knew of any plot. But afterwards he made a great discovery of a correspondence that Evers, the lord Aston's Jesuit, held with the Jesuits in London, who had written to Evers of the design of killing the king, and desired him to find out men proper for executing it, whether they were gentlemen or not. This, he swore, was written plain, in a letter from Whitebread, the provincial, directed to himself; but he knew it was meant for Evers. Eversly and Govan, another Jesuit, pressed this Dugdale to undertake it; they promised he should be canonized for it; and the lord Stafford offered him 500*l.* if he would set about it. He was a man of sense and temper, and behaved himself decently; and had somewhat in his air and deportment that disposed people to believe him: so that the king himself began to think there was somewhat in the plot, though he had very little regard either to Oates or Bedlow.

\* See the "State Trials."

Dugdale's evidence was much confirmed by one circumstance. He had talked of a justice of peace in Westminster that was killed on the Tuesday after Godfrey was missed: so that the news of this must have been written from London on the Saturday night's post. He did not think it was a secret, and so he talked of it as news in an alehouse. The two persons he said he spoke it to remembered nothing of it, the one being the minister of the parish; but several others swore they had heard it. He saw this, as he swore, in a letter written by Harcourt, the Jesuit, to Evers, in which Godfrey was named. But he added a strange story to this, which he said Evers told him afterwards: that the duke had sent to Coleman, when he was in Newgate, to persuade him to discover nothing, and that he desired to know of him whether he had ever discovered their designs to any other person; and that Coleman sent back answer, that he had spoken of them to Godfrey, but to no other man. Upon which the duke gave order to kill him. This was never made public till the lord Stafford's trial. And I was amazed to see such a thing break out after so long a silence. It looked like an addition to Dugdale's first evidence; though he had been noted for having brought out all his discoveries at once. The earl of Essex told me he swore it in his first examination; but, since it was only upon hearsay from Evers, and so was nothing in law, and yet would heighten the fury against the duke, the king charged Dugdale to say nothing of it.

At the same time a particular discovery was made of Godfrey's murder. Prance, a goldsmith, that wrought for the queen's chapel, had gone from his house for two or three days, the week before the murder. And one that lodged in his house calling that to mind, upon Bedlow's swearing he saw the body in Somerset House, fancied that this was the time in which he was from home, and that he might be concerned in that matter, though it appeared afterwards that his absence was the week before. He said he went from his own house, fearing to be put in prison, as many were, upon suspicion, or on the account of his religion. Yet upon this information he was seized on, and carried to Westminster. Bedlow accidentally passed by, not knowing anything concerning him, and at first sight he charged somebody to seize on him; for he was one of those whom he saw about Godfrey's body. Yet he denied everything for some days. Afterwards he confessed he was concerned in it, and he gave this account of it: Girald and Kelly, two priests, engaged him and three others into it, who were Green, that belonged to the queen's chapel, Hill, that had served Godden, the most celebrated writer among them, and Berry, the porter of Somerset House. He said these all, except Berry, had several meetings, in which the priests persuaded them it was no sin, but a meritorious action, to despatch Godfrey, who had been a busy man in taking depositions against them, and that the taking him off would terrify others. Prance named an alehouse where they used to meet; and the people of that house did confirm this of their meeting there. After they had resolved on it, they followed him for several days. The morning before they killed him, Hill went to his house to see if he was yet gone out, and spoke to his maid. And, finding he was yet at home, they stayed for his coming out. This was confirmed by the maid, who, upon Hill's being taken, went to Newgate, and in a crowd of prisoners distinguished him, and said he was the person that asked for her master the morning before he was lost. Prance said they dogged him into a place near St. Clement's church, where he was kept till night. Prance was appointed to be at Somerset House at night. And, as Godfrey went by the water-gate, two of them pretended to be hot in a quarrel. And one run out to call a justice of peace, and so pressed Godfrey to go in and part them. He was not easily prevailed on to do it; yet he did at last. Green then got behind him, and pulled a cravat about his neck, and drew him down to the ground and strangled him. Upon that Girald would have run him through; but the rest diverted him from that, by representing the danger of a discovery by the blood being seen there. Upon that they carried his body up to Godden's room, of which Hill had the key, Godden being then in France. Two days after that they removed it to a room across the upper court, which Prance could never describe particularly. And that not being found a convenient place, they carried it back to Godden's lodgings. At last it was resolved to carry it out in the night in a sedan to the remote parts of the town, and from thence to cast it into some ditch. On Wednesday a sedan was provided. And one of the sentinels swore he saw a sedan carried



in ; but none saw it brought out. Prance said they carried him out, and that Green had provided a horse, on whose back he laid him, when they were got clear of the town ; and then he carried him, as he believed, to the place where his body was found. This was a consistent story, which was supported in some circumstances by collateral proofs. He added another particular, that some days after the fact, those who had been concerned in it, and two others, who were in the secret, appointed to meet at Bow, where they talked much of that matter. This was confirmed by a servant of that house, who was coming in and out to them, and heard them often mention Godfrey's name. Upon which he stood at the door out of curiosity to hearken ; but one of them came out and threatened him for it. The priests were not found, but Green, Hill, and Berry, were apprehended upon it. Yet some days after this Prance desired to be carried to the king, who would not see him but in council ; and he denied all that he had formerly sworn, and said it was all a fiction. But as soon as he was carried back to prison he sent the keeper of Newgate to the king to tell him that all he had sworn was true, but that the horror and confusion he was in put him on denying it. Yet he went off from this again, and denied everything. Dr. Lloyd was upon this sent to him to talk with him. At first he denied everything to him. But Dr. Lloyd said to me, that he was almost dead through the disorder of his mind and with cold in his body. But after that Dr. Lloyd had made a fire, and caused him to be put in a bed, and began to discourse the matter with him, he returned to his confession : which he did in such a manner, that Lloyd said to me, it was not possible for him to doubt of his sincerity in it.

So, he persisting in his first confession, Green, Hill, and Berry, were brought to their trial. Bedlow and Prance, with all the circumstances formerly mentioned, were the evidence against them. On the other hand, they brought witnesses to prove that they came home in a good hour on the nights, in which the fact was said to be done. Those that lived in Godden's lodgings deposed, that no dead body could be brought thither, for they were every day in the room that Prance had named. And the sentinels of that night of the carrying him out said they saw no sedan brought out. They were, upon a full hearing, convicted and condemned. Green and Hill died, as they had lived, papists, and with solemn protestations denied the whole thing. Berry declared himself a protestant, and that though he had changed his religion for fear of losing his place, yet he had still continued to be one in his heart. He said he looked on what had now befallen him as a just judgment of God upon him for that dissimulation. He denied the whole matter charged on him. He seemed to prepare himself seriously for death, and to the last minute he affirmed he was altogether innocent. Dr. Lloyd attended on him, and was much persuaded of his sincerity. Prance swore nothing against him, but that he assisted in the fact, and in carrying about the dead body. So Lloyd reckoned that those things being done in the night, Prance might have mistaken him for some other person, who might be like him, considering the confusion that so much guilt might have put him in. He therefore believed Prance had sworn rashly with relation to him, but truly as to the main of the fact. The papists took great advantage from Berry's dying protestant, and yet denying all that was sworn against him, though he might have had his life if he would have confessed it. They said this showed it was not from the doctrine of equivocation, or from the power of absolution, or any other of their tenets, that so many died denying all that was sworn against them, but from their own conviction. And indeed this matter came to be charged on Dr. Lloyd, as if he had been made a tool for bringing Berry to this seeming conversion, and that all was done on design to cover the queen. But I saw him then every day, and was well assured that he acted nothing in it but what became his profession with all possible sincerity. Prance began after this to enlarge his discoveries. He said he had often heard them talk of killing the king, and of setting on a general massacre, after they had raised an army. Dugdale also said he had heard them discourse of a massacre. The memory of the Irish massacre was yet so fresh as to raise a particular horror at the very mention of this ; though where the numbers were so great as in Ireland, that might have been executed, yet there seemed to be no occasion to apprehend the like, where the numbers were in so great an inequality as they were here. Prance did also swear that a servant of the lord Powis had told him that there was one in their family who had undertaken to kill the king : but that some days after he told him they were now gone

off from that design. It looked very strange, and added no credit to his other evidence, that the papists should be thus talking of killing the king, as if it had been a common piece of news. But there are seasons of believing, as well as of disbelieving; and believing was then so much in season, that improbabilities, or inconsistencies, were little considered. Nor was it safe so much as to make reflections on them. That was called the blasting of the plot, and disparaging the king's evidence; though indeed Oates and Bedlow did, by their behaviour, detract more from their own credit than all their enemies could have done. The former talked of all persons with insufferable insolence; and the other was a scandalous libertine in his whole deportment.

The lord chief justice, at that time, was sir William Scroggs, a man more valued for a good readiness in speaking well, than either for learning in his profession, or for any moral virtue. His life had been indecently scandalous, and his fortunes were very low. He was raised, by the earl of Danby's favour, first to be a judge, and then to be the chief justice. And it was a melancholy thing to see so bad, so ignorant, and so poor a man raised up to that great post. Yet he, now seeing how the stream run, went into it with so much zeal and heartiness, that he was become the favourite of the people. But, when he saw the king had an ill opinion of it, he grew colder in the pursuit of it. He began to neglect and check the witnesses, upon which they, who behaved themselves as if they had been the tribunes of the people, began to rail at him. Yet in all the trials he set himself, even with indecent earnestness, to get the prisoners to be always cast\*.

Another witness came in soon after these things, Jennison, the younger brother of a Jesuit, and a gentleman of family and estate. He, observing that Ireland had defended himself against Oates chiefly by this, that he was in Staffordshire from the beginning of August till the 12th of September, and that he had died affirming that to be true, seemed much surprised at it; and upon that turned protestant. For he said he saw him in London on the 19th of August, on which day he fixed upon this account, that he saw him the day before he went down in the stage-coach to York, which was proved by the books of that office to be the 20th of August. He said, he was come to town from Windsor; and hearing that Ireland was in town, he went to see him, and found him drawing off his boots. Ireland asked him news, and, in particular, how the king was attended at Windsor? And when he answered, that he walked about very carelessly with very few about him, Ireland seemed to wonder at it, and said, it would be easy then to take him off. To which Jennison answered quickly, God forbid: but Ireland said, he did not mean that it could be lawfully done. Jennison, in the letter in which he wrote this up to a friend in London, added, that he remembered an inconsiderable passage or two more, and that perhaps Smith (a priest that had lived with his father) could help him to one or two more circumstances relating to those matters: but he protested, as he desired the forgiveness of his sins, and the salvation of his soul, that he knew no more; and wished he might never see the face of God, if he knew any more. This letter was printed; and great use was made of it, to show how little regard was to be had to those denials, with which so many had ended their lives. But this man in the summer thereafter published a long narrative of his knowledge of the plot. He said, himself had been invited to assist in killing the king. He named the four ruffians that went to Windsor

\* Sir William Scroggs was born at Deddington, in Oxfordshire, during the year 1623; but, according to sir William Dugdale and North, his father was subsequently a butcher near Smithfield. In 1643 he took his master's degree at Oxford, and would have taken orders, if the civil war had not frustrated his intention. He then devoted himself to the law. In 1669 he was made a serjeant and knighted, and in seven years after he was raised to the bench. Upon this occasion his speech was so excellent that the earl of Northampton, who heard it, told the king that it contained twice as much loyalty as all the sermons he had directed to be printed since his restoration.—(Clarendon Correspondence, i. 2.) In 1678 he was promoted to be lord chief justice of the king's bench, upon the resignation of sir Richard Rainsford. In 1680 he was impeached by the house of commons, and though

not convicted, was removed in the following year from the bench. He died in 1683. Wood, who endeavours to conceal his brutal injustice as a judge, can find no cause for praise but his being an eloquent speaker. Swift is more just, when he alludes to the story of the eastern monarch, who had the seat of justice covered with the skin of a judge, executed for his crimes, and adds, "I fancy such a memorial might not have been unuseful to a son of sir William Scroggs; and that both he and his successors would often wriggle in their seats, as long as the cushion lasted."—(Drapier's Letters, No. 5; Wood's Athenæ Oxon.) North describes him as a great voluptuary, and companion of the high court rakes. His debaucheries were egregious and his life loose, which made lord chief justice Hale detest him.—North's Life of Lord Guildford, ii. 128; North's Examen, 568.

to do it : and he thought to have reconciled this to his letter, by pretending these were the circumstances that he had not mentioned in it. Smith did also change his religion ; and deposed, that, when he was at Rome, he was told in general of the design of killing the king. He was afterwards discovered to be a vicious man : yet he went no farther than to swear, that he was acquainted with the design in general, but not with the persons that were employed in it. By these witnesses the credit of the plot was universally established. Yet, no real proofs appearing, besides Coleman's letters and Godfrey's murder, the king, by a proclamation, did offer both a pardon and 200*l.* to any one that would come in, and make further discoveries. This was thought too great a hire to purchase witnesses. Money had been offered to those who should bring in criminals. But it was said to be a new and indecent practice to offer so much money to men, that should merit it by swearing ; and it might be too great an encouragement to perjury.

While the witnesses were weakening their own credit, some practices were discovered that did very much support it. Reading, a lawyer of some subtilty, but of no virtue, was employed by the lords in the Tower to solicit their affairs. He insinuated himself much into Bedlow's confidence, and was much in his company ; and, in the hearing of others, he was always pressing him to tell all he knew. He lent him money very freely, which the other wanted often. And he seemed at first to design only to find out somewhat that should destroy the credit of his testimony. But he ventured on other practices, and offered him much money, if he would turn his evidence against the popish lords only into a hearsay, so that it should not come home against them. Reading said, Bedlow began the proposition to him, and employed him to see how much money these lords could give him, if he should bring them off : upon which, Reading, as he pretended afterwards, seeing that innocent blood was likely to be shed, was willing, even by indecent means, to endeavour to prevent it. Yet he freed the lords in the Tower. He said, they would not promise a farthing : only the lord Stafford said, he would give Reading two or three hundred pounds, which he might dispose of as he pleased. While Reading was driving the bargain, Bedlow was too hard for him at his own trade of craft ; for, as he acquainted both prince Rupert, and the earl of Essex, with the whole negotiation, from the first step of it, so he placed two witnesses secretly in his chamber, when Reading was to come to him ; and drew him into those discourses, which discovered the whole practice of that corruption. Reading had likewise drawn a paper, by which he showed him with how few and small alterations he could soften his deposition, so as not to affect the lords. With these witnesses, and this paper, Bedlow charged Reading. The whole matter was proved beyond contradiction. And, as this raised his credit, so it laid a heavy load on the popish lords ; though the proofs came home only to Reading, and he was set in the pillory for it. Bedlow made a very ill use of this discovery, which happened in March, to cover his having sworn against Whitebread and Fenwick only upon hearsay in December : for, being resolved to swear plain matter upon his own knowledge against them, when they should be brought again on their trial, he said, Reading had prevailed on him to be easy to them, as he called it ; and that he had said to him that the lords would take the saving of those Jesuits, as an earnest of what he would do for themselves ; though it was not very probable that these lords would have abandoned Ireland, when they took such care of the other Jesuits. The truth was, he ought to have been set aside from being a witness any more, since now by his own confession he had sworn falsely in that trial : he had first sworn, he knew nothing of his own knowledge against the two Jesuits, and afterwards he swore copiously against them, and upon his own knowledge. Wyld, a worthy and ancient judge, said upon that to him, that he was a perjured man, and ought to come no more into courts, but to go home, and repent. Yet all this was passed over, as if it had been of no weight : and the judge was turned out for his plain freedom. There was soon after this another practice discovered concerning Oates. Some that belonged to the earl of Danby conversed much with Oates's servants. They told them many odious things that he was daily speaking of the king, which looked more like one that intended to ruin than to save him. One of these did also affirm, that Oates had made an abominable attempt upon him not fit to be named. Oates smelled this out, and got his servants to deny all that they had said, and to fasten it upon those who had been with them, as a practice of theirs : and they



were upon that likewise set in the pillory. And, to put things of a sort together, though they happened not all at once ; one Tasborough, that belonged to the duke's court, entered into some correspondence with Dugdale, who was courting a kinswoman of his. It was proposed, that Dugdale should sign a paper, retracting all that he had formerly sworn, and should upon that go beyond sea, for which he was promised, in the duke's name, a considerable reward. He had written the paper, as was desired ; but he was too cunning for Tasborough, and he proved his practices upon him. He pretended he drew the paper only to draw the other further on, that he might be able to penetrate the deeper into their designs. Tasborough was fined, and set in the pillory for tampering thus with the king's evidence.

This was the true state of the plot, and of the witnesses that proved it ; which I have opened as fully as was possible for me : and I had particular occasions to be well instructed in it. Here was matter enough to work on the fears and apprehensions of the nation ; so it was not to be wondered at, if parliaments were hot, and juries were easy in this prosecution. The visible evidences that appeared, made all people conclude there was great plotting among them. And it was generally believed, that the bulk of what was sworn by the witnesses was true, though they had by all appearance dressed it up with incredible circumstances. What the men of learning knew concerning their principles, both of deposing of kings, and of the lawfulness of murdering them when so deposed, made them easily conclude, that since they saw the duke was so entirely theirs, and that the king was so little to be depended on, they might think the present conjuncture was not to be lost. And since the duke's eldest daughter was already out of their hands, they might make the more haste to set the duke on the throne. The tempers, as well as the morals, of the Jesuits, made it reasonable to believe, that they were not apt to neglect such advantages, nor to stick at any sort of falsehood in order to their own defence. The doctrine of probability, besides many other maxims that are current among them, made many give little credit to their witnesses, or to their most solemn denials, even at their execution. Many things were brought to show, that by the casuistical divinity taught among them, and published by them to the world, there was no practice so bad, but that the doctrines of probability, and of ordering the intention, might justify it. Yet many thought, that, what doctrines soever men might by a subtilty of speculation be carried into, the approaches of death, with the seriousness that appeared in their deportment, must needs work so much on the probity and candour which seemed rooted in human nature, that even immoral opinions, maintained in the way of argument, could not then resist it. Several of our divines went far in this charge against all regard to their dying speeches ; of which some of our own church complained, as inhuman and indecent \*.

\* After reading Oates's " True Narrative"—Jennison's " Narrative"—Prance's " Narrative"—Dugdale's " Information"—the various examinations and speeches in the house of commons, and the evidence given at the trials of the several persons charged with being participators in the popish plot, the editor is perfectly convinced that it never existed except in the minds of Oates, and other equally infamous and perjured witnesses. That the duke of York, Coleman, the Roman Catholic peers, and even the queen of Charles the Second, may have thought, conversed, and even corresponded with Jesuits upon the subject of establishing their religion in this country, may be considered as certain ; but that they all plotted together, resolved, and even attempted to murder the king, for the purpose of attaining their object, is supported by no evidence that will justify even suspicion. The witnesses that assert these charges were such as would have been heard and then scouted in a modern court of justice. They were men convicted of the foulest crimes and sins that disgrace our nature ; their evidence was prevaricating, contradictory, uncertain in dates, often manifestly false, frequently refuted, and always given with a marked eagerness to convict. The law officers for the crown may be justly excused for the heat they displayed in urging the conviction of the prisoners ; but there is no extenuating plea for the intemperate partisanship of

the judge who presided at the trials. It was his duty to temper the asperity, to discern the deficiencies of both parties with an unbiassed judgment, and to calm and direct the minds of the jury with whom lay the decision that involved the life of each prisoner ; but Serrogers deserted his sacred duty, and vehemently strove to make every verdict a vote of death. He endeavoured to exculpate himself by saying, " it was better to be warm upon the bench than in Smithfield ;" but the excuse amounts to no more than that he cared not for the innocent suffering so that he himself escaped, or that he thought certain cruelty and injustice was proper, if done to prevent an uncertain future evil. There is not room in the compass of a note to compare and examine the conflicting evidence relative to this melancholy passage in our national history ; those who wish for such an examination will find it in Fox's " James the Second." This powerful-minded man evidently concluded that Dryden was right when he wrote

" Some truth there was, but dash'd and brew'd with lies."

Sir W. Temple says, " I never saw greater disturbance in men's minds than had been raised by the plot, and the pursuit of it in parliament ; it was generally believed by both houses, by city and country, by clergy and laity ; yet

In January a new parliament was summoned. The elections were carried with great heat, and went almost everywhere against the court. Lord Danby resolved to leave the treasury at Lady-day; and in that time he made great advantage by several payments which he got the king to order, that were due upon such slight pretences, that it was believed he had a large share of them to himself: so that he left the treasury quite empty. He persuaded the king to send the duke beyond sea, that so there might be no colour for suspecting that the counsels were influenced by him. He endeavoured to persuade the duke, that it was fit for him to go out of the way. If the king and the parliament came to an agreement, he might depend on the promise that the king would make him, of recalling him immediately: and if they did not agree, no part of the blame could be cast on him; which must happen otherwise, if he stayed still at court. Yet no rhetoric would have prevailed on him to go, if the king had not told him positively, it was for both their service, and so it must be done.

Before he went away, the king gave him all possible satisfaction with relation to the duke of Monmouth, who was become very popular, and his creatures were giving it out, that he was the king's lawful son. So the king made a solemn declaration in council, and both signed it, and took his oath on it, that he was never married nor contracted to that duke's mother; nor to any other woman, except to his present queen. The duke was sent away upon very short warning, not without many tears shed by him at parting, though the king shed none. He went first to Holland, and then to Brussels, where he was but coldly received\*.

At the opening the parliament in March, the parting with an only brother, to remove all jealousy, was magnified with all the pomp of the earl of Nottingham's eloquence. Lord Danby's friends were in some hopes, that the great services which he had done would make matters brought against him to be handled gently. But in the management he committed some errors, that proved very unhappy to him.

Seymour and he had fallen into some quarrellings, both being very proud and violent in their tempers. Seymour had in the last session struck in with the heat against popery, that he was become popular upon it. So he managed the matter in this new parliament, that though the court named Meres, yet he was chosen speaker. The nomination of the speaker was understood to come from the king, though he was not named as recommending the person: yet a privy counsellor named one; and it was understood to be done by order. And the person thus named was put in the chair, and was next day presented to the king, who approved the choice. When Seymour was next day presented as the speaker, the king refused to confirm the election. He said, he had other occasions for him, which could not

when I talked with some of my friends in private, who ought best to know the bottom of it, they only concluded it was yet mysterious; that they could not say the king believed it; but that the parliament and nation were so generally and strongly possessed with it, that it must be pursued as if it were true, whether it were so or not."

\* On the 28th of February, 1679, the king directed to the duke the following letter:—"I have already given you my resolve at large, why I think it fit that you should absent yourself for some time beyond the seas: as I am truly sorry for the occasion, so may you be sure I shall never desire it longer than it will be absolutely necessary for your good, and my service. In the mean time, I think it proper to give it you under my hand, that I expect this compliance from you, and desire it may be as soon as conveniently you can. You may easily believe with what trouble I write, there being nothing I am more sensible of than the constant kindness you have ever had for me. I hope you are as just to me, to be assured that no absence, nor any thing else, can ever change me from being truly and kindly yours, C. R." The duke sailed on the following 3rd of March. The popish plot, the bribes received from France, the impeachment of the earl of Danby, and the debates on the exclusion bill, had so agitated the people of all classes, that there were some well-grounded fears of a fresh civil war breaking out. It was to allay the popular ferment, for all proceedings in favour of the

Roman Catholics were attributed to the duke, that the latter was desired to retire into exile. To prevent this necessity, he had been urged by many of his best friends to leave the papal communion and conform to the established church, but, to his credit be it spoken, he conscientiously refused; and it was the dictate of his heart and mind when he wrote thus to Mr. Lawrence Hyde:—"I assure you I will never try that way, though I were sure it would restore me into the good opinion and esteem of the nation, which I once had; and, therefore, I desire that neither you nor none of my friends will ever mention it to me, or flatter themselves that I can ever be brought to it: what I did was never done hastily, and I have expected many years, and been prepared for what has happened to me, and for the worst that can yet befall me."—(Clarendon Correspondence, i. 45.) The conduct of the duke at the time of his exile was in other respects false, and therefore contemptible. He wished to pass his period of expatriation in France, but the French king would not permit him. The duke endeavoured to soften him by supplicating his protection, by meanly apologizing for conduct that seemed to be in opposition to that monarch's wishes, and by falsely throwing the blame upon his brother. Louis was softened by this slavish submission, paid him much attention whilst he was at Brussels, and was instrumental in his recall to England.—Dalrymple's Memoirs; Chandler's Debates, &c.

be dispensed with. Upon this great heats arose, with a long and violent debate. It was said, the house had the choice of their speaker in them, and that their presenting the speaker was only a solemn shewing him to the king, such as was the presenting the lord mayor and sheriffs of London in the exchequer; but that the king was bound to confirm their choice. This debate held a week, and created much anger.

A temper was found at last. Seymour's election was let fall; but the point was settled, that the right of electing was in the house, and that the confirmation was a thing of course. So another was chosen speaker\*. And the house immediately fell on lord Danby. Those who intended to serve him said, the heat this dispute had raised, which was imputed wholly to him, had put it out of their power to do it: but he committed other errors. He took out a pardon under the great seal. The earl of Nottingham durst not venture to pass it; so the king ordered the seal to be put to the pardon in his own presence. And thus, according to lord Nottingham's figure, when he was afterwards questioned about it, it did not pass through the ordinary methods of production, but was an immediate effect of his majesty's power of creating†. He also took out a warrant to be marquis of Caermarthen. And the king, in a speech to the parliament, said, he had done nothing but by his order; and therefore he had pardoned him; and, if there was any defect in his pardon, he would pass it over and over again, till it should be quite legal.

Upon this a great debate was raised. Some questioned whether the king's pardon, especially when passed in bar to an impeachment, was good in law: this would encourage ill ministers, who would be always sure of a pardon, and so would act more boldly, if they saw so easy a way to be secured against the danger of impeachments: the king's pardon did indeed secure one against all prosecution at his suit: but, as in the case of murder, an appeal lay, from which the king's pardon did not cover the person, since the king could no more pardon the injuries done his people, than he could forgive the debts that were owing to them; so from a parity of reason it was inferred, that since the offences of ministers of state were injuries done the public, the king's pardon could not hinder a prosecution in parliament, which seemed to be one of the chief securities, and most essential parts of our constitution. Yet on the other hand it was said, that the power of pardoning was a main article of the king's prerogative; none had ever yet been annulled: the law had made this one of the

\* This transaction is told somewhat confusedly. The due course of events appears to have been as follows:—After the king and the lord chancellor (Finch) had severally addressed the assembled parliament in very conciliatory speeches, the commons were directed to return to their house and choose their speaker. Colonel Birch proposed “the right honourable Edward Seymour, knight of the shire for the county of Devon, treasurer of the navy, one of the privy council, and speaker of the last parliament.” Mr. Seymour was unanimously elected, and it being known to the house that he was to be rejected, he was instructed not to make the usual application to be excused, which it was known would be accepted, but merely to announce his unanimous election, which he did, and concluded by adding, “And now I am come hither for your majesty's approbation, which, if your majesty will please to grant, I shall do them and you the best service I can.” This abrupt announcement rendered useless the prepared speech of the chancellor; but after a slight pause and consultation, his lordship with a good deal of tact told the speaker, that the king reserved him for other services, and desired the commons “to make another choice.” Upon their return to their house, the chancellor of the exchequer, sir John Early, proposed sir Thomas Meres, as a proper person for speaker: but after a very warm debate, the original choice was adhered to, and finally the parliament was prorogued for a few days. When it met again, the commons and the king both yielded by adopting Mr. serjeant Gregory, as speaker.—Grey's Debates; Chandler's Debates; Ferguson's Growth of Popery, &c. It certainly was a most unpropitious mode of beginning; what the king

said, he wished to be “a healing parliament.” Such a piece of ill policy would be without any assignable reason, if sir W. Temple had not recorded that Seymour's rejection arose from a pique that existed between him and the wife of the lord treasurer!

† The house of commons appointed a committee to enquire into the passing this pardon, and the committee reported that the lord chancellor said, “he neither advised it, drew it, or altered one word of it.” As to the manner, &c. the treasurer (Danby, in whose favour it was) delivered it to him, and asked him “whether *omnia et omnimoda indictamenta, &c. impetitus vel non impetitus* did extend to the impeachment?” The treasurer further desired “it might pass with all the privacy in the world, because he intended not to make use of it, except false witnesses should be produced against him at his trial.” Thereupon the chancellor wrote to the treasurer a letter, “that it was for the service of the king that the pardon should be considered, and if he would take his advice he should let the pardon pass in the regular course, to prevent resuming the impeachment against him.” The treasurer told him the king was resolved to have it done in all privacy; and the next day the king commanded the seal to be brought to him, when his majesty wrote his name on the top of the parchment, and the person who usually carries the purse set the seal to it. The chancellor considered that he had not then the custody of the seal, and he did not make any memorial of it in his office, and that it was a stamped pardon by creation.—Grey's Debates, vii. 55.



trusts of the government, without any limitation upon it : all arguments against it might be good reasons for the limiting it for the future : but what was already past was good in law, and could not be broken through. The temper proposed was, that, upon lord Danby's going out of the way, an act of banishment should pass against him, like that which had passed against the earl of Clarendon. Upon that, when the lords voted that he should be committed, he withdrew. So a bill of banishment passed in the house of lords, and was sent down to the commons. Winnington fell on it there in a most furious manner. He said, it was an act to let all ministers see what was the worst thing that could happen to them, after they had been engaged in the blackest designs, and had got great rewards of wealth and honour : all they could suffer was, to be obliged to live beyond sea. This enflamed the house so, that those who intended to have moderated that heat, found they could not stop it. Littleton sent for me that night, to try if it was possible to mollify Winnington. We laid before him, that the king seemed brought near a disposition to grant every thing that could be desired of him ; and why must an attainder be brought on, which would create a breach that could not be healed ? The earl of Danby was resolved to bear a banishment ; but would come in, rather than be attainted, and plead his pardon : and then the king was upon the matter made the party in the prosecution, which might ruin all : we knew how bad a minister he had been, and had felt the ill effects of his power ; but the public was to be preferred to all other considerations. But Winnington was then so entirely in Montague's management, and was so blown up with popularity, and so much provoked by being turned out of the place of solicitor-general, that he could not be prevailed on. It was offered afterwards from the court, as Littleton told me, both that lord Danby should by act of parliament be degraded from his peerage, as well as banished ; and that an act should pass, declaring for the future no pardon should be pleaded in bar to an impeachment : but the fury of the time was such, that all offers were rejected. And so a very probable appearance of settling the nation was lost : for the bill for banishing lord Danby was thrown out by the commons ; and instead of it a bill of attainder was brought in. The treasury was put in commission. The earl of Essex was put at the head of it ; and Hyde and Godolphin were two of the commission. The earl of Sunderland was brought over from France, and made secretary of state ; and lord Essex and lord Sunderland joined with the duke of Monmouth, to press the king to change his counsels, and to turn to another method of government, and to take the men of the greatest credit into his confidence. Lord Essex was much blamed for going in so early into the court, before the rest were brought in. He said to me, he did it in the prospect of working the change that was afterwards effected. Lord Sunderland also told me, that the king was easy in the bringing in lord Shaftesbury ; for he thought he was only angry in revenge, because he was not employed ; but that he had so ill an opinion of lord Halifax, that it was not easy to get over that. The duke of Monmouth told me, that he had as great difficulty in overcoming that as ever in any thing that he studied to bring the king to.

At last the king was prevailed on to dismiss the whole council, which was all made up of lord Danby's creatures : and the chief men of both houses were brought into it. This was carried with so much secrecy, that it was not so much as suspected, till the day before it was done \*. The king was weary of the vexation he had been long in, and desired to be set at ease. And at that time he would have done any thing to get an end put to the plot, and to the fermentation that was now over the whole nation : so that, if the house of commons would have let the matter of lord Danby's pardon fall, and have accepted of limitations on his brother, instead of excluding him, he was willing to have yielded in every thing else. He put likewise the admiralty and ordnance into commissions ; out of all which the duke's creatures were so excluded, that they gave both him and themselves for lost. But the hatred that Montague bore lord Danby, and lord Shaftesbury's hatred to the duke, spoiled all this. There were also many in the house of commons, who finding themselves forgotten, while others were preferred to them, resolved to make themselves considerable. And they infused into a great many a mistrust of all that was doing. It was said the king was still what he was before ; no change appeared in him : and all this was only an artifice to lay the heat that

\* See Sir W Temple's "Memoirs" for very full particulars of these changes, i. 333, fol.

was in the nation, to gain so many over to him, and so to draw money from the commons. So they resolved to give no money till all other things should be first settled. No part of the change that was then made was more acceptable than that of the judges: for lord Danby had brought in some sad creatures to those important posts. And Jones had the new modelling of the bench; and he put in very worthy men, in the room of those ignorant judges that were now dismissed.

The main point in debate was, what security the king should offer to quiet the fears of the nation upon the account of the duke's succession. The earl of Shaftesbury proposed the excluding him simply, and making the succession to go on, as if he was dead, as the only mean that was easy and safe both for the crown and the people: this was nothing but the disinheriting the next heir, which certainly the king and parliament might do, as well as any private man might disinherit his next heir, if he had a mind to it. The king would not consent to this. He had faithfully promised the duke that he never would; and he thought, if acts of exclusion were once begun, it would not be easy to stop them; but that upon any discontent at the next heir, they would be set on. Religion was now the pretence; but other pretences would be found out, when there was need of them: this insensibly would change the nature of the English monarchy; so that from being hereditary it would become elective. The lords of Essex and Hallifax upon this proposed such limitations of the duke's authority, when the crown should devolve on him, as would disable him from doing any harm, either in church or state: such as the taking out of his hand all power in ecclesiastical matters, the disposal of the public money, with the power of peace and war, and the lodging these in both houses of parliament; and that whatever parliament was in being, or the last that had been in being at the king's death, should meet, without a new summons, upon it, and assume the administration of affairs. Lord Shaftesbury argued against this as much more prejudicial to the crown than the exclusion of one heir: for this changed the whole government, and set up a democracy instead of a monarchy. Lord Hallifax's arguing now so much against the danger of turning the monarchy to be elective, was the more extraordinary in him, because he had made an hereditary monarchy the subject of his mirth; and had often said, "who takes a coachman to drive him, because his father was a good coachman?" Yet he was now jealous of a small slip in the succession: but at the same time he studied to infuse into some a zeal for a commonwealth. And to these he pretended, that he preferred limitations to an exclusion; because the one kept up the monarchy still, only passing over one person; whereas the other brought us really into a commonwealth, as soon as we had a popish king over us. And it was said by some of his friends, that the limitations proposed were so advantageous to public liberty, that a man might be tempted to wish for a popish king, to come at them\*.

Upon this great difference of opinion, a faction was quickly formed in the new council. The lords Essex, Sunderland, and Hallifax declaring for limitations, and against the exclusion; while lord Shaftesbury, now made president of the council, declared highly for it. They took much pains on him to moderate his heat; but he was become so intolerably vain, that he would not mix with them, unless he might govern. So they broke with him; and the other three were called *the triumvirate*. Lord Essex applied himself to the business of the treasury, to the regulating the king's expense, and the improvement of the revenue. His clear, though slow, sense made him very acceptable to the king. Lord Hallifax studied to manage the king's spirit, and to gain an ascendant there by a lively and libertine conversation. Lord Sunderland managed foreign affairs, and had the greatest credit with the duchess of Portsmouth. After it was agreed on to offer the limitations, the lord chancellor by order from the king made the proposition to both houses. The duke was struck with the news of this, when it came to him to Brussels. I saw a letter written by his duchess the next post; in which she wrote, that as for all the high things that were said by their enemies, they looked for them; but that speech of the lord chancellor's was a surprise, and a great mortification to them. Their apprehensions of that did not hang long upon them. The exclusion was

\* Sir John Reresby says, that the lord treasurer, Danby, told him, and others of the house of commons, that the king was willing something should be done "To pare the nails of a popish successor," but that he would never suffer the right line of succession to the crown to be interrupted.—Reresby's Memoirs, 70.

become the popular expedient. So after much debating, a bill was ordered for excluding the duke of York. I will give you here a short abstract of all that was said, both within and without doors, for and against the exclusion.

Those who argued for it laid it down for a foundation, that every person, who had the whole right of any thing in him, had likewise the power of transferring it to whom he pleased; so the king and parliament, being entirely possessed of the whole authority of the nation, had a power to limit the succession, and every thing else relating to the nation, as they pleased: and by consequence there was no such thing as a fundamental law, by which the power of parliament was bound up: for no king and parliament in any former age had a power over the present king and parliament; otherwise the government was not entire, nor absolute. A father, how much soever determined by nature to provide for his children, yet had certainly a power of disinheriting them, without which, in some cases, the respect due to him could not be preserved. The life of the king on the throne was not secure, unless this was acknowledged: for if the next heir was a traitor, and could not be seized on, the king would be ill served in opposition to him, if he could not bar his succession by an exclusion. Government was appointed for those that were to be governed, and not for the sake of governors themselves: therefore all things relating to it were to be measured by the public interest, and the safety of the people. In none of God's appointments in the Old Testament regard was had to the eldest. Isaac, Jacob, Judah, Ephraim, and more particularly Solomon, were preferred without any regard to the next in line. In the several kingdoms of Europe the succession went according to particular laws, and not by any general law. In England, Spain, and Sweden, the heir general did succeed: whereas it was only the heir male in France and Germany. And whereas the oath of allegiance tied us to the king and his heirs; the word heir was a term that imported that person who by law ought to succeed: and so it fell by law to any person who was declared next in the succession. In England the heir of the king that reigned had been sometimes set aside, and the right of succession transferred to another person. Henry VII. set up his title on his possessing the crown. Henry VIII. got his two daughters, while they were by acts of parliament illegitimated, put in the succession: and he had a power given him to devise it after them, and their issue, at his pleasure. Queen Elizabeth, when she was in danger from the practices of the queen of Scots, got an act to pass asserting the power of the parliament to limit the succession of the crown. It was high treason to deny this during her life, and was still highly penal to this day. All this was laid down in general, to assert a power in the parliament to exclude the next heir, if there was a just cause for it. Now, as to the present case, the popish religion was so contrary to the whole frame and constitution of our government, as well as to that dignity inherent in the crown, of being the head of the church, that a papist seemed to be brought under a disability to hold the crown. A great part of the property of the nation, the Abbey lands, was shaken by the prospect of such a succession. The perfidy and the cruelty of that religion made the danger more sensible. Fires, and courts of inquisition, were that which all must reckon for, who would not redeem themselves by an early and zealous conversion. The duke's own temper was much insisted on. It appeared by all their letters, how much the papists depended on him; and his own deportment shewed, there was good reason for it. He would break through all limitations, and call in a foreign power, rather than submit to them. Some mercenary lawyers would give it for law, that the prerogative could not be limited, and that a law limiting it was void of itself. Revenges for past injuries, when joined to a bigotry in religion, would be probably very violent.

On the other hand, some argued against the exclusion, that it was unlawful in itself, and against the unalterable law of succession; (which came to be the common phrase). Monarchy was said to be by divine right; so the law could not alter what God had settled; yet few went at first so high. Much weight was laid on the oath of allegiance, that tied us to the king's heirs; and whoso was the heir when any man took that oath, was still the heir to him. All lawyers had great regard to fundamental laws. And it was a maxim among our lawyers, that even an act of parliament against Magna Charta was null of itself. There was no arguing from the changes in the course of the succession. These had been the effects of prosperous rebellions: nor from Henry the Seventh's reigning in the right of his



queen, and yet not owning it to be so. Nor was it strange, if in so violent a reign as Henry the Eighth's acts were made in prejudice of the right of blood. But though his daughters were made bastards by two several acts, yet it was notorious they were both born in a state of marriage. And when unlawful marriages were annulled, yet such issue as descended from them *bonâ fide*, used not to be illegitimated. But, though that king made a will pursuant to an act of parliament, excluding the Scottish line, yet such regard the nation had to the next in blood, that, without examining the will, the Scottish line was received. It is true, queen Elizabeth, out of her hatred to the queen of Scots, got the famed act to pass, that declares the parliament's power of limiting the succession: but since that whole matter ended so fatally, and was the great blemish of her reign, it was not reasonable to build much on it. These were the arguments of those, who thought the parliament had not the power to enact an exclusion of the next heir; of which opinion the earl of Essex was at this time. Others did not go on these grounds; but they said, that though a father has indeed a power of disinheriting his son, yet he ought never to exert it but upon a just and necessary occasion. It was not yet legally certain, that the duke was a papist. This was condemning him unheard. A man's conscience was not even in his own power. It seemed therefore to be an unjustifiable severity, to cut off so great a right only for a point of opinion. It is true, it might be reasonable to secure the nation from the ill effects that opinion might have upon them, which was fully done by the limitations; but it was unjust to carry it further. The protestants had charged the church of Rome heavily for the league of France, in order to the excluding the house of Bourbon from the succession to the crown of France, because of heresy: and this would make the charge return back upon us, to our shame. In the case of infancy, or lunacy, guardians were assigned; but the right was still in the true heir. A popish prince was considered as in that state; and these limitations were like the assigning him guardians. The crown had been for several ages limited in the power of raising money: to which it may be supposed a high-spirited king did not easily submit, and yet we had long maintained this: and might it not be hoped, the limitations proposed might be maintained in one reign, chiefly considering the zeal and the number of those who were concerned to support them? Other princes might think themselves obliged in honour and religion to assist him, if he was quite excluded: and it might be the occasion of a new popish league, that might be fatal to the whole protestant interest: whereas, if the limitations passed, other princes would not so probably enter into the laws and establishment settled among us. It was said, many in the nation thought the exclusion unlawful; but all would jointly concur in the limitations: so this was the securest way, that comprehended the greatest part of the nation; and probably Scotland would not go into the exclusion, but merit at the duke's hands by asserting his title. So here was a foundation of war round about us, as well as of great distractions among ourselves: some regard was to be had to the king's honour, who had so often declared, he would not consent to an exclusion; but would to any limitations, how hard soever.

These were the chief arguments upon which this debate was managed. For my own part, I did always look on it as a wild and extravagant conceit, to deny the lawfulness of an exclusion in any case whatsoever. But for a great while I thought the accepting the limitations was the wisest and best method. I saw the driving on the exclusion would probably throw us into great confusions; and therefore I made use of all the credit I had with many in both houses, to divert them from pursuing it, as they did, with such eagerness, that they would hearken to nothing else. Yet, when I saw the party so deeply engaged, and so violently set upon it, both Tillotson and I, who thought we had some interest in lord Halifax, took great pains on him, to divert him from opposing it so furiously as he did: for he became as it were the champion against the exclusion. I foresaw a great breach was like to follow; and that was plainly the game of popery, to keep us in such an unsettled state. This was like either to end in a rebellion, or in an abject submission of the nation to the humours of the court. I confess, that which I apprehended most was rebellion, though it turned afterwards quite the other way. But men of more experience, and who had better advantages to make a true judgment of the temper of the nation, were mistaken as well as myself. All the progress that was made in this matter in the present parliament was, that the bill of

exclusion was read twice in the house of commons; but the parliament was dissolved before it came to a third reading\*.

The earl of Danby's prosecution was the point on which the parliament was broken. The bill of attainder for his wilful absence was passed by the commons, and sent up to the lords. But, when it was brought to the third reading, he delivered himself, and was upon that sent to the Tower: upon which he moved for his trial. The man of the law he depended most upon was Pollexfen, an honest, and learned, but perplexed lawyer†. He advised him positively to stand upon his pardon. It was a point of prerogative never yet judged against the crown: so he might in that case depend upon the house of lords, and on the king's interest there. It might perhaps produce some act against all pardons for the future: but he thought he was secure in his pardon. It was both wiser, and more honourable, for the king, as well as for himself, to stand on this, than to enter into the matter of the letters, which would occasion many indecent reflections on both. So he settled on this, and pleaded his pardon at the lords' bar: to which the commons put in a reply, questioning the validity of the pardon, on the grounds formerly mentioned. And they demanded a trial and judgment.

Upon this a famous debate arose concerning the bishops' right of voting in any part of a trial for treason. It was said, that, though the bishops did not vote in the final judgment, yet they had a right to vote in all preliminaries. Now the allowing, or not allowing the pardon to be good, was but a preliminary; and yet the whole matter was concluded by it. The lords Nottingham and Roberts argued for the bishops voting; but the lords Essex, Shaftesbury, and Hollis were against it. Many books were written on both sides, of which an account shall be given afterwards. But upon this debate it was carried by the majority, that the bishops had a right to vote. Upon which the commons said, they would not proceed, unless the bishops were obliged to withdraw during the whole trial. And upon that breach between the two houses the parliament was prorogued; and soon after it was dissolved. And the blame of this was cast chiefly on the bishops. The truth was, they desired to have withdrawn, but the king would not suffer it. He was so set on maintaining the pardon, that he would not venture such a point on the votes of the temporal lords. And he told the bishops they must stick to him, and to his prerogative, as they would expect that he should stick to them, if they came to be pushed at. By this means they were exposed to the popular fury.

Hot people began every where to censure them, as a set of men that for their own ends, and for every punctilio that they pretended to, would expose the nation and the protestant religion to ruin. And in revenge for this many began to declare openly in favour of the non-conformists: and upon this the non-conformists behaved themselves very indecently. For,

\* The duke of York seriously apprehended the passing of this bill. Writing to the prince of Orange, he said, "the bill for depriving me of the succession has had one reading, and was to be read again on Monday last; so that except his majesty begins to behave himself as a king ought to do, not only I, but himself and our whole family, are gone."—(Clarendon Correspondence, i. 44.) The exclusion bill consisted only of five clauses, but they were very severe: the first rendered him incapable of inheriting the crown; the second gave the sovereignty to the next in succession, as if the duke was dead; the third made it high treason in him to attempt any acts of sovereignty; the fourth made it treason to endeavour to make him king; and the fifth made it a similar offence for him to return into Great Britain. Fortunate was it for England that the bill did not pass, for it was involved in almost insurmountable difficulties. Upon the death of Charles the Second, in 1685, the crown would have descended upon the duke's eldest daughter, the princess of Orange; but then, when the duke had a son, which he had three years subsequently, the crown must have reverted to this son. If the house of Orange gave up the throne without a civil

struggle, yet the act did not provide that the son should not be a Roman Catholic. Happy then was it for this country, that neither the exclusion or limitation was enacted; for the apparent evil of James the Second becoming king, gave occasion to the real good of calling in and securing more effectually a protestant succession.

† Henry Pollexfen was descended from a good Devonshire family, settled at Kitley near Plympton; but of his early years we know nothing. In the reign of Charles the Second his practice was very great. He was employed in all the great causes of the period in which he lived, whilst a barrister. He was counsel for the corporation of London in defence of their charter; and for the seven bishops. In 1688, he was a representative of Exeter, in parliament. In 1689, after the revolution, he was promoted to be attorney-general, and afterwards was knighted, and made chief justice of the common pleas. He died in 1692—Bridgman's Legal Bibliography; Noble's Contin. of Grainger. Roger North styles him "the veriest butcher of a judge." Judges in those days seemed to think it their duty to be harsh.

though many of the more moderate of the clergy were trying if an advantage might be taken from the ill state we were in to heal those breaches that were among us, they on their part fell very severely upon the body of the clergy. The act that restrained the press was to last only to the end of the first session of the next parliament that should meet after that was dissolved. So now, upon the end of the session, the act not being revived, the press was open; and it became very licentious, both against the court and the clergy. And in this the non-conformists had so great a hand, that the bishops and clergy, apprehending that a rebellion, and with it the pulling the church to pieces, was designed, set themselves on the other hand to write against the late times, and to draw a parallel between the present times and them; which was not decently enough managed by those who undertook the argument, and who were believed to be set on, and paid by the court for it. The chief manager of all those angry writings was one sir Roger L'Estrange, a man who had lived in all the late times, and was furnished with many passages, and an unexhausted copiousness in writing; so that for four years he published three or four sheets a week under the title of the *Observer*, all tending to defame the contrary party, and to make the clergy apprehend that their ruin was designed. This had all the success he could have wished, as it drew considerable sums that were raised to acknowledge the service he did\*. Upon this the greater part of the clergy, who were already much prejudiced against that party, being now both sharpened and furnished by these papers, delivered themselves up to much heat and indiscretion, which was vented both in their pulpits and common conversation, and most particularly at the elections of parliament men: and this drew much hatred and censure upon them. They seemed now to lay down all fears and apprehensions of popery; and nothing was so common in their mouths as the year forty-one, in which the late wars began, and which seemed now to be near the being acted over again. Both city and country were full of many indecencies that broke out on this occasion. But, as there were too many of the clergy whom the heat of their tempers, and the hope of preferment drove to such extravagancies, so there were still many worthy and eminent men among them, whose lives and labours did in a great measure rescue the church from those reproaches that the follies of others drew upon it. Such were, besides those whom I have often named, Tension, Sharp, Patrick, Sherlock, Fowler, Scot, Calamy, Clagget, Cudworth, two Mores, Williams, and many others, whom though I knew not so particularly as to give all their characters, yet they deserved a high one; and were indeed an honour, both to the church, and to the age in which they lived.

I return from this digression to give an account of the arguments by which that debate concerning the bishops voting in preliminaries was maintained. It was said, the bishops were one of three estates of which the parliament was composed, and that therefore they ought to have a share in all parliamentary matters; that as the temporal lords transmitted their honours and fees to their heirs, so the bishops did transmit theirs to their successors: and they sat in parliament, both as they were the prelates of the church and barons of the realm: but in the time of popery, when they had a mind to withdraw themselves wholly from the king's courts, and resolved to form themselves into a state apart, upon this attempt of theirs, our kings would not dispense with their attendance: and then several regulations were made, chiefly the famed ones at Clarendon; not so much intended as restraints on them in the use of their rights as they were barons, as obligations on them to perform all but those that in compliance with their desires were then excepted: the clergy, who had a mind to be excused from all parliamentary attendance, obtained leave to withdraw in judgments of life and death, as unbecoming their profession and contrary to their canons. Princes were the more inclinable to this, because bishops might be more apt to lean to the merciful side:

\* This chief of the hiring writers of the period was the son of sir Hammond L'Estrange, author of "A History of Charles the First." &c. He was born in 1616. Joining the royalists during the civil commotions, he narrowly escaped hanging as a spy by the parliament. At the restoration he was made licenser of the press, and retained his office until the revolution. In 1663 he established a newspaper, entitled "The Public Intelligencer," but this was given up when the "London Gazette" was published in 1665. His "Observer" was suppressed

in the reign of James the Second, because it did not unreservedly support that king's measures. Besides political works he was the author of a great many translations. He died in 1704. He has been charged with corrupting our language, by excluding vowels and other letters, and introducing pert, affected phrases. The editor can hardly think this accusation valid, for he never could have been taken as a model by any one.—*Biog. Brit.*; *Grainger's Biog. Hist.*



and the judgments of parliament in that time were commonly in favour of the crown against the barons: so the bishops had leave given them to withdraw from these; but they had a right to name a proxy for the clergy, or to protest for saving their rights in all other points as peers: so that this was rather a concession in their favour than a restraint imposed on them; and they did it on design to get out of these courts as much as they could. At the Reformation all such practices as were contrary to the king's prerogative were condemned; so it was said, that the king having a right by his prerogative to demand justice in parliament against such as he should accuse there, none of the peers could be excused from that by any of the constitutions made in the time of popery, which were all condemned at the Reformation: the protestation they made in their asking leave to withdraw shewed it was a voluntary act of theirs, and not imposed on them by the law of parliament: the words of the article of Clarendon seemed to import, that they might sit during the trial, till it came to the final judgment and sentence of life or limb; and by consequence that they might vote in the preliminaries.

On the other hand it was argued, that bishops could not judge the temporal lords as their peers; for if they (the bishops) were to be tried for high treason, they were to be judged only by a jury of commoners; and since their honour was not hereditary, they could not be the peers of those whose blood was dignified: and therefore, though they were a part of that house with relation to the legislature and judicature, yet the difference between a personal and hereditary peerage made that they could not be the judges of the temporal lords, as not being to be tried by them: the custom of parliament was the law of parliament; and since they had never judged in these cases, they could not pretend to it: their protestation was only in bar to the lords doing any thing besides the trial during the time that they were withdrawn. The words of the article of Clarendon must relate to the whole trial as one complicated thing, though it might run out into many branches: and since the final sentence did often turn upon the preliminaries, the voting in these was upon the matter the voting in the final sentence: whatever might be the first inducements to frame those articles of the clergy, which at this distance must be dark and uncertain, yet the laws and practice pursuant to them were still in force: by the act of Henry the Eighth it was provided, that, till a new body of canon law should be formed, that which was then received should be still in force, unless it was contrary to the king's prerogative or the law of the land: and it was a remote and forced inference to pretend that the prerogative was concerned in this matter.

Thus the point was argued on both sides. Dr. Stillingfleet gave upon this occasion a great proof of his being able to make himself the master of any argument which he undertook; for after the lawyers and others conversant in parliament records, in particular the lord Hollis, who undertook the argument with great vehemence, had written many books about it, he published a treatise that discovered more skill and exactness in judging those matters than all that had gone before him. And indeed he put an end to the controversy in the opinion of all impartial men. He proved the right that the bishops had to vote in those preliminaries, beyond contradiction in my opinion, both from our records, and from our constitution; but now in the interval of parliament other matters come to be related\*.

The king upon the prorogation of the parliament became sullen and thoughtful; he saw he had to do with a strange sort of people, that could neither be managed nor frightened: and from that time his temper was observed to change very visibly. He saw the necessity of calling another parliament, and of preparing matters in order to it: therefore the prosecution of the plot was still carried on. So five of the Jesuits that had been accused of it were brought to their trial: they were Whitebread, their provincial, Fenwick, Harcourt, Govan, and Turner. Oates repeated against them his former evidence; and they prepared a great

\* It seems hardly credible that any one could misunderstand the words of the statute called "the Constitutions of Clarendon," 2 Henry II., c. 11. They are these, "Episcopi, sicut ceteri barones, debent interesse judiciis cum baronibus, quousque perveniat ad diminutionem membrorum, vel ad mortem."—Bishops, like other barons, ought to be present at trials with the barons, until the loss of limbs, or death has to be determined. In the case of

Danby's case, the house of lords determined "that the lords spiritual have a right to stay and sit in court in capital cases, till the court proceeds to the vote of guilty, or not guilty." This determination applies only to trials in *full parliament*; for to the court of the lord high steward, bishops are never summoned. The above determination of the peers, Blackstone says, has ever since been adhered to.—Blackstone's Comment, iv. 264.

defence against it : for sixteen persons came over from their house at St. Omer's, who testified that Oates had staid among them all the while from December seventy-seven, till June seventy-eight ; so that he could not possibly be at London, in the April between, at those consultations, as he had sworn. They remembered this the more particularly, because he sat at the table by himself in the refectory, which made his being there to be the more observed ; for as he was not mixed with the scholars, so neither was he admitted to the Jesuits' table. They said, he was among them every day, except one or two, in which he was in the infirmary : they also testified, that some of those who he swore came over with him into England in April, had stayed all that summer in Flanders. In opposition to this, Oates had found out seven or eight persons who deposed that they saw him in England about the beginning of May ; and that he being known formerly to them in a clergyman's habit, they had observed him so much the more by reason of that change of habit. With one of these he dined, and he had much discourse with him about his travels. An old Dominican friar, who was still of that church and order, swore also that he saw him, and spoke frequently with him at that time : by this the credit of the St. Omer's scholars was quite blasted. There was no reason to mistrust those who had no interest in the matter, and swore that they saw Oates about that time ; whereas the evidence given by scholars bred in the Jesuits' college, when it was to save some of their order, was liable to a very just suspicion. Bedlow now swore against them all, not upon hearsay as before, but on his own knowledge ; and no regard was had to his former oath mentioned in Ireland's trial. Dugdale did likewise swear against some of them : one part of his evidence seemed scarcely credible. He swore, that Whitebread did, in a letter that was directed to himself, though intended for F. Evers, and that came to him by the common post, and was signed by Whitebread, desire him to find out men proper to be made use of in killing the king, of what quality soever they might be. This did not look like the cunning of Jesuits in an age, in which all people made use either of cyphers, or of some disguised cant. But the overthrowing the St. Omer's evidence was now such an additional load on the Jesuits, that the jury came quickly to a verdict ; and they were condemned. At their execution they did with the greatest solemnity, and the deepest imprecations possible, deny the whole evidence upon which they were condemned ; and protested, that they held no opinions either of the lawfulness of assassinating princes, or of the pope's power of deposing them, and that they counted all equivocation odious and sinful. All their speeches were very full of these heads. Govan's was much laboured, and too rhetorical. A very zealous protestant, that went oft to see them in prison, told me, that they behaved themselves with great decency, and with all the appearances both of innocence and devotion.

Langhorn, the lawyer, was tried next : he made use of the St. Omer's scholars ; but their evidence seemed to be so baffled, that it served him in no stead. He insisted next on some contradictions in the several depositions that Oates had given at several trials ; but he had no other evidence of that besides the printed trials, which was no proof in law. The judges said upon this, (that which is perhaps good in law, but yet does not satisfy a man's mind,) that great difference was to be made between a narrative upon oath, and an evidence given in court. If a man was false in any one oath, there seemed to be just reason to set him aside, as no good witness. Langhorn likewise urged this, that it was six weeks after Oates's first discovery before he named him : whereas, if the commissions had been lodged with him, he ought to have been seized on and searched first of all. Bedlow swore, he saw him enter some of Coleman's treasonable letters in a register, in which express mention was made of killing the king. He shewed the improbability of this, that a man of his business could be set to register letters. Yet all was of no use to him, for he was cast. Great pains were taken to persuade him to discover all he knew ; and his execution was delayed for some weeks, in hopes that somewhat might be drawn from him. He offered a discovery of the estates and stock that the Jesuits had in England, the secret of which was lodged with him ; but he protested that he could make no other discovery, and persisted in this to his death. He spent the time, in which his execution was respited, in writing some very devout and well composed meditations. He was in all respects a very extraordinary man ; he was learned, and

honest in his profession, but was out of measure bigoted in his religion. He died with great constancy \*.

These executions, with the denials of all that suffered, made great impressions on many. Several books were written, to shew that lying for a good end was not only thought lawful among them, but had been often practised, particularly by some of those who died for the gunpowder treason, denying those very things which were afterwards not only fully proved, but confessed by the persons concerned in them; yet the behaviour, and last words, of those who suffered made impressions which no books could carry off.

Some months after this, one Serjeant, a secular priest, who had been always in ill terms with the Jesuits, and was a zealous papist in his own way, appeared before the council upon security given him; and he averred, that Govan, the Jesuit, who died protesting he had never thought it lawful to murder kings, but had always detested it, had at his last being in Flanders, said to a very devout person, from whom Serjeant had it, that he thought the queen might lawfully take away the king's life for the injuries he had done her, but much more because he was a heretic. Upon that Serjeant ran out into many particulars, to shew how little credit was due to the protestations made by Jesuits even at their death. This gave some credit to the tenderest part of Oates's evidence with relation to the queen. It shewed, that the trying to do it by her means had been thought of by them. All this was only evidence from second hand; so it signified little. Serjeant was much blamed for it by all his own side. He had the reputation of a sincere and good, but of an indiscreet, man. The executions were generally imputed to lord Shaftesbury, who drove them on in hopes that some one or other to have saved himself would have accused the duke: but by these the credit of the witnesses, and of the whole plot, was sinking apace. The building so much, and shedding so much blood, upon the weakest part of it, which was the credit of the witnesses, raised a general prejudice against it all; and took away the force of that, which was certainly true, that the whole party had been contriving a change of religion by a foreign assistance, so that it made not impression enough, but went off too fast. It was like the letting blood (as one observed), which abates a fever. Every execution, like a new bleeding, abated the heat that the nation was in; and threw us into a cold deadness, which was likely to prove fatal to us.

Wakeman's trial came on next. Oates swore he saw him write a bill to Ashby, the Jesuit, by which he knew his hand; and he saw another letter of his written in the same hand, in which he directed Ashby, who was then going to the Bath, to use a milk diet, and to be pumped at the Bath; and that in that letter he mentioned his zeal in the design of killing the king. He next repeated all the story he had sworn against the queen; which he brought only to make it probable that Wakeman, who was her physician, was in it. To all this Wakeman objected, that at first Oates accused him only upon hearsay, and did solemnly protest he knew nothing against him; which was fully made out. So he said, all that Oates now swore against him must be a forgery not thought of at that time. He also proved by his own servant, and by the apothecary at the Bath, that Ashby's paper was not written, but only dictated by him: for he happened to be very weary when he came for it, and his man wrote it out: and that of the milk diet was a plain indication of an ill laid forgery, since it was known that nothing was held more inconsistent with the Bath water than milk. Bedlow swore against him, that he saw him receive a bill of 2,000*l.* from Harcourt in part of a greater sum; and that Wakeman told him afterwards that he had received the money; and that Harcourt told him for what end it was given, for they intended the king should be killed, either by those they sent to Windsor, or by Wakeman's means: and, if all other ways failed, they would take him off at Newmarket. Bedlow in the first giving his evidence deposed, that this was said by Harcourt when Wakeman was gone out of the room. But observing by the questions that were put him, that this would not affect Wakeman, he swore afterwards, that he said it likewise in his hearing. Wakeman had nothing to set against all this, but that it seemed impossible that he could trust himself in such matters to such a

\* The trials of those unfortunate men are given at great length in the State Trials.



person : and if Oates was set aside, he was but one witness. Three other Benedictine priests were tried with Wakeman. Oates swore, that they were in the plot of killing the king ; that one of them, being their superior, had engaged to give 6,000*l.* towards the carrying it on. Bedlow swore somewhat circumstantial to the same purpose against two of them ; but that did not rise up to be treason : and he had nothing to charge the third with. They proved, that another person had been their superior for several years ; and that Oates was never once suffered to come within their house, which all their servants deposed. And they also proved, that when Oates came into their house the night after he made his discovery, and took Pickering out of his bed, and saw them, he said, he had nothing to lay to their charge. They urged many other things to destroy the credit of the witnesses : and one of them made a long declamation, in a high bombast strain, to shew what credit was due to the speeches of dying men. The eloquence was so forced and childish, that this did them more hurt than good. Scroggs summed up the evidence very favourably for the prisoners, far contrary to his former practice. The truth is, that this was looked on, as the queen's trial, as well as Wakeman's. The prisoners were acquitted : and now the witnesses saw they were blasted : and they were enraged upon it, which they vented with much spite upon Scroggs. And there was in him matter enough to work on for such foul-mouthed people as they were. The queen got a man of great quality to be sent over ambassador from Portugal, not knowing how much she might stand in need of such a protection. He went next day with great state to thank Scroggs for his behaviour in this trial. If he meant well in this compliment, it was very unadvisedly done : for the chief justice was exposed to much censure by it ; and therefore some thought it was a shew of civility done on design to ruin him. For, how well pleased soever the papists were with the success of this trial, and with Scroggs's management, yet they could not be supposed to be so satisfied with him, as to forgive his behaviour in the former trials, which had been very indecently partial and violent.

It was now debated in council whether the parliament, now prorogued, should be dissolved, or not. The king prevailed on the lords of Essex and Halifax to be for a dissolution, promising to call another parliament next winter. Almost all the new councillors were against the dissolution. They said, the crown had never gained anything by dissolving a parliament in anger ; the same men would probably be chosen again, while all that were thought favourable to the court would be blasted, and for the most part set aside. The new men thus chosen, being fretted by a dissolution, and put to the charge and trouble of a new election, they thought the next parliament would be more uneasy to the king than this if continued. Lord Essex and Halifax, on the other hand, argued, that since the king was fixed in his resolutions, both with relation to the exclusion and to the lord Danby's pardon, his parliament had engaged so far in both these, that they could not think that these would be let fall : whereas a new parliament, though composed of the same members, not being yet engaged, might be persuaded to take other methods. The king followed this advice, which he had directed himself : two or three days after, lord Halifax was made an earl, which was called the reward of his good counsel : and now the hatred between the earl of Shaftesbury and him broke out into many violent and indecent instances. On lord Shaftesbury's side more anger appeared, and more contempt on lord Halifax's. Lord Essex was a softer man, and bore the censure of the party more mildly : he saw how he was cried out on for his last advice ; but as he was not apt to be much heated, so all he said to me upon it was, that he knew he was on a good bottom, and that good intentions would discover themselves, and be justified by all in conclusion \*.

\* Sir W. Temple in his "Memoirs" gives a detail of the proceedings, in the change of the ministry at this time. Sir William was the chief adviser at this exigency, but he very passionately objected to the inclusion of the earl of Shaftesbury in the new council. He and the earl of Halifax both aiming at the chief influence, and differing as they did in political opinions, was an endless source of distraction. The details in the "Memoirs" are extremely interesting, but do not admit of compression. The chief ministers of state were now as follows : Heneage, lord Finch, lord chancellor ; Shaftesbury, president of the

council ; Anglesea, privy seal ; Monmouth, master of the horse ; Lauderdale, secretary for Scotland ; Crmond, steward of the household ; Arlington, lord chamberlain ; Sunderland, a secretary of state ; Essex, first lord of the treasury ; Bath, groom of the stole ; Henry Coventry, a secretary of state ; sir Henry Capel, first commissioner of the admiralty ; sir John Ernly, chancellor of the exchequer ; sir Thomas Chicheley, master of the ordnance ; Halifax, Temple, Powle, &c. were privy councillors without holding any office.

I now put a stop in the further relation of affairs in England, to give an account of what passed in Scotland. The party against duke Lauderdale had lost all hopes, seeing how affairs were carried in the last convention of estates; but they began to take heart upon this great turn in England. The duke (of York) was sent away, and the lord Danby was in the Tower, who were that duke's (Lauderdale's) chief supports: and when the new council was settled, duke Hamilton and many others were encouraged to come up and accuse him. The truth was, the king found his memory was failing him; and so he resolved to let him fall gently, and bring all Scotch affairs into the duke of Monmouth's hands. The Scotch lords were desired, not only by the king, but by the new ministers, to put the heads of their charge against duke Lauderdale in writing; and the king promised to hear lawyers on both sides, and that the earls of Essex and Halifax should be present at the hearing. Mackenzie was sent for, being the king's advocate, to defend the administration; and Lockhart and Cunningham were to argue against it. The last of these had not indeed Lockhart's quickness, nor his talent in speaking; but he was a learned and judicious man, and had the most universal, and indeed the most deserved reputation for integrity and virtue of any man, not only of his own profession, but of the whole nation. The hearing came on as was promised; and it was made out beyond the possibility of an answer, that the giving commissions to an army to live on free quarters in a quiet time, was against the whole constitution, as well as the express laws of that kingdom; and that it was never done but in an enemy's country, or to suppress a rebellion: they shewed likewise, how unjust and illegal all the other parts of his administration were. The earls of Essex and Halifax told me every thing was made out fully; Mackenzie having nothing to shelter himself in, but that flourish in the act against field conventicles, in which they were called the rendezvous of rebellion; from which he inferred, that the country where these had been frequent was in a state of rebellion. Kings naturally love to hear prerogative magnified; yet on this occasion the king had nothing to say in defence of the administration. But when May, the master of the privy purse, asked him, in his familiar way, what he thought now of his Lauderdale, he answered, as May himself told me, that they had objected many damned things that he had done against them, but there was nothing objected that was against his service. Such are the notions that many kings drink in, by which they set up an interest for themselves in opposition to the interest of the people: and as soon as the people observe that, which they will do sooner or later, then they will naturally mind their own interest, and set it up as much in opposition to the prince: and in this contest the people will grow always too hard for the prince, unless he is able to subdue and govern them by an army. The duke of Monmouth was beginning to form a scheme of a ministry; but now the government in Scotland was so remiss, that the people apprehended they might run into all sorts of confusion. They heard that England was in such distractions that they needed fear no force from thence. Duke Lauderdale's party was losing heart, and were fearing such a new model there as was set up here in England. All this set those mad people that had run about with the field conventicles into a frenzy: they drew together in great bodies: some parties of the troops came to disperse them, but found them both so resolute and so strong, that they did not think fit to engage them: sometimes they fired on one another, and some were killed on both sides.

When a party of furious men were riding through a moor near St. Andrews, they saw the archbishop's coach appear; he was coming from a council-day, and was driving home: he had sent some of his servants home before him, to let them know he was coming, and others he had sent off on compliments; so that there were no horsemen about the coach. They, seeing this, concluded, according to their frantic enthusiastic notions, that God had now delivered up their greatest enemy into their hands; seven of them made up to the coach, while the rest were as scouts riding all about the moor. One of them fired a pistol at him, which burnt his coat and gown, but did not go into his body: upon this they fancied he had a magical secret to secure him against a shot; and they drew him out of his coach, and murdered him barbarously, repeating their strokes till they were sure he was quite dead: and so they got clear off, nobody happening to go cross the moor all the while. This was the dismal end of that unhappy man: it struck all people with horror, and softened his

enemies into some tenderness: so that his memory was treated with decency by those who had very little respect for him during his life\*.

A week after that, there was a great field conventicle held within ten miles of Glasgow: a body of the guards engaged with them, and they made such vigorous resistance, that the guards having lost thirty of their number were forced to run for it: so the conventicle formed itself into a body and marched to Glasgow: the person that led them had been bred by me, while I lived at Glasgow, being the younger son of sir Thomas Hamilton that had married my sister, but by a former wife: he was then a lively, hopeful young man; but getting into that company, and into their notions, he became a crack-brained enthusiast. Duke Lauderdale and his party published everywhere that this rebellion was headed by a nephew of mine, whom I had prepared for such a work while he was in my hands: their numbers were so magnified, that a company, or two, which lay at Glasgow, retired in all haste, and left the town to them, though they were then not above four or five hundred; and these were so ill armed, and so ill commanded, that a troop of horse could have easily dispersed them. The council at Edinburgh sent the earl of Linlithgow against them with a thousand foot, two hundred horse, and two hundred dragoons: a force much greater than was necessary for making head against such a rabble. He marched till he came within ten miles of them, and then he pretended he had intelligence that they were above eight thousand strong; so he marched back; for he said, it was the venturing the whole force the king had upon too great an inequality: he could never prove that he had any such intelligence: some imputed this to his fear; others thought, that being much engaged with duke Lauderdale, he did this on purpose to give them time to increase their numbers; and thought their madness would be the best justification of all the violences that had been committed in duke Lauderdale's administration. Thus the country was left in their hands; and if there had been any designs or preparations made formerly for a rebellion, now they had time enough to run together and to form themselves: but it appeared that there had been no such designs, by this, that none came into it but those desperate intercommoned men, who were as it were hunted from their houses into all those extravagances that men may fall in, who wander about inflaming one another, and are heated in it with false notions of religion. The rebels having the country left to their discretion fancied that their numbers would quickly increase: and they set out a sort of manifesto, complaining of the oppressions they lay under, asserting the obligation of the covenant: and they concluded it with the demand of a free parliament. When the news of this came to court, duke Lauderdale said, it was the effect of the encouragement that they had from the king's hearkening to their complaints: whereas all indifferent men thought it was rather to be imputed to his insolence and tyranny.

The king resolved to lose no time; so he sent the duke of Monmouth down post, with full powers to command in chief: and directions were sent to some troops that lay in the north of England to be ready to march upon his orders. Duke Lauderdale apprehended that those in arms would presently submit to the duke of Monmouth, if there was but time given for proper instruments to go among them, and that then they would pretend they had been forced into that rising by the violence of the government: so he got the king to send positive orders after him, that he should not treat with them, but fall on them immediately: yet he marched so slowly that they had time enough given them to dispose them to a submis-

\* Dr. James Sharp was a native of Banffshire, and born in 1618. He left the Aberdeen university and his country on account of his objection to the covenant, but returned to Scotland upon the occurrence of the civil war, and obtained a professorship at St. Andrew's. He was deputed to plead to Cromwell the cause of the moderate presbyterians in opposition to the rigid covenanters, and succeeded in obtaining his favour. His betrayal of the presbyterian resolutions, and his subsequent public life, have been noticed in the course of these pages. That he was an intemperate, arbitrary, unprincipled man, admits of no doubt; and he would have deserved of posterity no mitigated feeling, if his enemies had not enlisted our sympathies in his favour by inflicting upon him a violent death.

Our horror at this murder is augmented by a knowledge that it was perpetrated in the presence of the sufferer's daughter. He was dragged from his coach as he was crossing Magus moor, near St. Andrew's, and murdered in the manner described in the text. This was in 1679.—*Encyclop. Britannica.*

An apologetical account of one of his assassins is given in a work entitled "The Memoirs of the Church of Scotland," published in 1717. See also Coger's Collection of Tracts, and Algernon Sydney's Letters to H. Savile. The first states, and Burnet intimates the same, that the archbishop was not way-laid premeditatedly; and the two last state that he was killed in revenge for private injuries. Both statements appear to be false.



sion. They fixed at Hamilton, near which there is a bridge over the Clyde, which it was believed they intended to defend; but they took no care of it. They sent some to treat with the duke of Monmouth; he answered, that if they would submit to the king's mercy, and lay down their arms, he would interpose for their pardon, but that he would not treat with them as long as they were in arms: and some were beginning to press their rendering themselves at discretion. They had neither the grace to submit, nor the sense to march away, nor the courage to fight it out; but suffered the duke of Monmouth to make himself master of the bridge. They were then four thousand men; but few of them were well armed; if they had charged those that came first over the bridge, they might have had some advantage; but they looked on like men that had lost both sense and courage: and upon the first charge they threw down their arms and ran away: there were between two or three hundred killed, and twelve hundred taken prisoners; the duke of Monmouth stopped the execution that his men were making as soon as he could, and saved the prisoners; for some moved, that they should be all killed upon the spot. Yet this was afterwards objected to him as a neglect of the king's service, and as a courting the people. The duke of York talked of it in that strain; and the king himself said to him, that if he had been there they should not have had the trouble of prisoners. He answered, he could not kill men in cold blood; that was work only for butchers. Duke Lauderdale's creatures pressed the keeping the army some time in that country, on design to have eaten it up; but the duke of Monmouth sent home the militia, and put the troops under discipline; so that all that country was sensible that he had preserved them from ruin: the very fanatical party confessed that he treated them as gently as possible, considering their madness: he came back to court as soon as he had settled matters, and moved the king to grant an indemnity for what was passed, and a liberty to hold meetings under the king's license, or connivance: he shewed the king that all this madness of field conventicles flowed only from the severity against those that were held within doors. Duke Lauderdale drew the indemnity in such a manner that it carried in some clauses of it a full pardon to himself and all his party; but he clogged it much with relation to those for whom it was granted. All gentlemen, preachers and officers were excepted out of it; so that the favour of it was much limited. Two of their preachers were hanged, but the other prisoners were let go upon their signing a bond for keeping the peace: two hundred of them were sent to Virginia, but they were all cast away at sea. Thus ended this tumultuary rebellion, which went by the name of Bothwell-bridge, where the action was. The king soon after sent down orders for allowing meeting-houses; but the duke of Monmouth's interest sunk so soon after this, that these were scarcely opened when they were shut up again. Their enemies said, this looked like a rewarding them for their rebellion.

An accident happened soon after this that put the whole nation in a fright, and produced very great effects. The king was taken ill, at Windsor, of an intermitting fever: the fits were so long and so severe, that the physicians apprehended he was in danger. Upon which he ordered the duke to be sent for, but very secretly: for it was communicated to none but to the earls of Sunderland, Essex, and Halifax. The duke made all possible haste, and came in disguise through Calais, as the quicker passage; but the danger was over before he came. The fits did not return after the king took quinquina, called in England the Jesuit's powder. As he recovered it was moved, that the duke should be again sent beyond sea; he had no mind to it, but when the king was positive in it, he moved that the duke of Monmouth should be put out of all command, and likewise sent beyond sea. The duke of Monmouth's friends advised him to agree to this; for he might depend on it that, as soon as the parliament met, an address would be made to the king for bringing him back, since his being thus divested of his commissions, and sent away at the duke's desire, would raise his interest in the nation\*.

\* Sir John Kersey intimates that the king's illness was feigned, was suggested by lord Faversham as an excuse for sending for the duke of York, whom the king was very unwilling to retain in exile, and that during this visit the plan was determined for his permanent return.—(Kersey's Memoirs, 98.) Sir William Temple evidently

thought the king was in no danger, and confirms the statement of the general ignorance there was of the duke's return. There were evidently intrigues of which sir William could only observe the effects, and which he heartily disapproved. He, upon this occasion, withdrew from the privy council.—Memoirs, i. 342, &c. fol.

At this time the party that began to be made for the duke of York were endeavouring to blow matters up into a flame every where, of which the earl of Essex gave me the following instance, by which it was easy to judge what sort of intelligence they were apt to give, and how they were possessing the king and his ministers with ill-grounded fears: he came once to London on some treasury business, the day before the common hall was to meet in the City; so the spies that were employed to bring news from all corners came to him, and assured him that it was resolved next day to make use of the noise of that meeting, and to seize on the Tower, and do all such things as could be managed by a popular fury. The advertisements came to him from so many hands, that he was inclined to believe there was somewhat in it. Some pressed him to send soldiers into the Tower and to the other parts of the City. He would not take the alarm so hot, but he sent to the lieutenant of the Tower to be on his guard; and he ordered some companies to be drawn up in Covent Garden and in Lincoln's-inn Fields: and he had two hundred men ready, and barges prepared to carry them to the Tower, if there should have been the least shadow of tumult. But he would not seem to fear a disorder too much, lest perhaps that might have produced one. Yet after all the affrightening stories that had been brought him, the next day passed over very calmly, it not appearing by the least circumstance that anything was designed besides the business for which the common hall was summoned. He often reflected on this matter: those mercenary spies are very officious, that they may deserve their pay, and they shape their story to the tempers of those whom they serve; and to such creatures, and to their false intelligence, I imputed a great deal of the jealousy that I found the king possessed with. Both the dukes went now beyond sea, and that enmity which was more secret before, and was covered with a court civility, did now break out open and barefaced. But it seemed that the duke of York had prevailed with the king not to call the parliament that winter, in hope that the heat the nation was in would with the help of some time grow cooler, and that the party that began now to declare more openly for the right of succession would gain ground. There was also a pretended discovery now ready to break out, which the duke might be made believe would carry off the plot from the papists, and cast it on the contrary party.

Dangerfield, a subtle and dexterous man, who had gone through all the shapes and practices of roguery, and in particular was a false coiner, undertook now to coin a plot for the ends of the papists. He was in jail for debt, and was in an ill intrigue with one Cellier a popish midwife, who had a great share of wit, and was abandoned to lewdness. She got him to be brought out of prison, and carried him to the countess of Powis, a zealous, managing papist. He, after he had laid matters with her, as will afterwards appear, got into all companies, and mixed with the hottest men of the town, and studied to engage others with himself to swear, that they had been invited to accept of commissions, and that a new form of government was to be set up, and that the king and the royal family were to be sent away. He was carried with this story first to the duke and then to the king, and had a weekly allowance of money, and was very kindly used by many of that side; so that a whisper ran about town, that some extraordinary thing would quickly break out; and he, having some correspondence with one colonel Mansel, made up a bundle of seditious, but ill-contrived letters, and laid them in a dark corner of his room; and then some searchers were sent from the Custom House to look for some forbidden goods, which they heard were in Mansel's chamber. There were no goods found, but as it was laid they found that bundle of letters; and upon that a great noise was made of a discovery. But, upon enquiry, it appeared the letters were counterfeited, and the forger of them was suspected; so they searched into all Dangerfield's haunts, and in one of them they found a paper that contained the scheme of this whole fiction, which because it was found in a meal-tub, came to be called the *Meal-tub Plot*. Dangerfield was upon that clapped up, and he soon after confessed how the whole matter was laid and managed: in which it is very probable he mixed much of his own invention with truth, for he was a profligate liar. This was a great disgrace to the popish party, and the king suffered much by the countenance he had given him. The earls of Essex and Halifax were set down in the scheme to be sworn against with the rest.

Upon this they pressed the king vehemently to call a parliament immediately. But the

king thought that if a parliament should meet while all men's spirits were sharpened by this new discovery, he would find them in worse temper than ever. When the king could not be prevailed on to do that, lord Essex left the treasury. The king was very uneasy at this. But lord Essex was firm in his resolution not to meddle in that post more, since a parliament was not called; yet, at the king's earnest desire, he continued for some time to go to council. Lord Halifax fell ill, much from a vexation of mind: his spirits were oppressed, a deep melancholy seizing him; for a fortnight together I was once a day with him, and found then that he had deep impressions of religion on him. Some foolish people gave it out that he was mad; but I never knew him so near a state of true wisdom as he was at that time. He was much troubled at the king's forgetting his promise to hold a parliament that winter, and expostulated severely upon it with some that were sent to him from the king. He was offered to be made secretary of state, but he refused it. Some gave it out that he pretended to be lord lieutenant of Ireland, and was uneasy when that was denied him; but he said to me that it was offered to him, and he had refused it. He did not love, he said, a new scene, nor to dine with sound of trumpet and thirty-six dishes of meat on his table. He likewise saw that lord Essex had a mind to be again there, and he was confident he was better fitted for it than he himself was. My being much with him at that time was reflected on: it was said I had heightened his disaffection to the court. I was with him only as a divine.

The court went on in their own pace. Lord Tweeddale being then at London moved the earl of Peterborough, that it would be more honourable, and more for the duke's (of York's) interest, instead of living beyond sea, to go and live in Scotland. Lord Peterborough went immediately with it to the king, who approved of it. So notice was given the duke, and he was appointed to meet the king at Newmarket in October. Lord Tweeddale saw that, since the duke of Monmouth had lost his credit with the king, duke Lauderdale would again be continued in his posts, and that he would act over his former extravagances; whereas he reckoned that this would be checked by the duke's going to Scotland, and that he would study to make himself acceptable to that nation, and bring things among them into order and temper. The duke met the king at Newmarket as it was ordered; but upon that the earl of Shaftesbury, who was yet president of the council, though he had quite lost all his interest in the king, called a council at Whitehall, and represented to them the danger the king was in by the duke's being so near him, and pressed the council to represent this to the king. But they did not agree to it. And upon the king's coming to London he was turned out, and lord Roberts, made then earl of Radnor, was made lord president.

The duke went to Scotland soon after: and upon that the duke of Monmouth grew impatient, when he found he was still to be kept beyond sea. He begged the king's leave to return; but when he saw no hope of obtaining it, he came over without leave. The king upon that would not see him, and required him to go back; on which his friends were divided. Some advised him to comply with the king's pleasure; but he gave himself fatally up to the lord Shaftesbury's conduct, who put him on all the methods imaginable to make himself popular. He went round many parts of England, pretending it was for hunting and horse matches, many thousands coming together in most places to see him; so that this looked like the mustering up the force of the party, but it really weakened it. Many grew jealous of the design, and fancied here was a new civil war to be raised. Upon this they joined in with the duke's party. Lord Shaftesbury set also on foot petitions for a parliament, in order to the securing the king's person and the protestant religion. These were carried about and signed in many places, notwithstanding the king set out a proclamation against them. Upon that a set of counter petitions was promoted by the court, expressing an abhorrence of all seditious practices, and referring the time of calling a parliament wholly to the king. There were not such numbers that joined in the petitions for the parliament as had been expected, so this showed rather the weakness than the strength of the party; and many well meaning men began to dislike those practices, and to apprehend that a change of government was designed.

Some made a reflection on that whole method of proceeding, which may deserve well to be remembered. In the intervals of parliament, men that complain of the government by keeping themselves in a sullen and quiet state, and avoiding cabals and public assemblies,



grow thereby the stronger and more capable to make a stand when a parliament comes; whereas by their forming of parties out of parliament, unless in order to the managing of elections, they do both expose themselves to much danger, and bring an ill character on their designs over the nation, which naturally loves parliamentary cures, but is jealous of all other methods.

The king was now wholly in the duke's interest, and resolved to pass that winter without a parliament. Upon which the lords Russel and Cavendish, sir Henry Capel, and Mr. Powel, four of the new councillors, desired to be excused from their attendance in council. Several of those who were put in the Admiralty and in other commissions desired likewise to be dismissed. With this the king was so highly offended, that he became more sullen and intractable than he had ever been before.

The men that governed now were the earl of Sunderland, lord Hyde, and Godolphin. The last of these was a younger brother of an ancient family in Cornwall, that had been bred about the king from a page, and was now considered as one of the ablest men that belonged to the court. He was the most silent and modest man that was perhaps ever bred in a court. He had a clear apprehension, and dispatched business with great method, and with so much temper that he had no personal enemies; but his silence begot a jealousy, which has hung long upon him. His notions were for the court; but his incorrupt and sincere way of managing the concerns of the treasury created in all people a very high esteem for him. He loved gaming the most of any man of business I ever knew, and gave one reason for it: because it delivered him from the obligation to talk much. He had true principles of religion and virtue, and was free from all vanity, and never heaped up wealth; so that all things being laid together, he was one of the worthiest and wisest men that has been employed in our time. And he has had much of the confidence of four of our succeeding princes\*.

In the spring of the year eighty the duke had leave to come to England; and continued about the king till the next winter that the parliament was to sit. Foreign affairs seemed to be forgotten by our court. The prince of Orange had projected an alliance against France, and most of the German princes were much disposed to come into it; for the French had set up a new court at Metz, in which many princes were, under the pretence of dependencies and some old forgotten or forged titles, judged to belong to the new French conquests. This was a mean as well as a perfidious practice, in which the court of France raised much more jealousy and hatred against themselves than could ever be balanced by such small accessions as were adjudged by that mock court. The earl of Sunderland entered into a particular confidence with the prince of Orange, which he managed by his uncle, Mr. Sidney, who was sent envoy to Holland. The prince seemed confident that if England would come heartily

\* Sidney Godolphin was a native of Cornwall, and he had his education concluded at Oxford. In 1661 he was a representative of Helston: and the loyalty of his family probably obtained him the offices of a page and afterwards groom of the royal bedchamber. The earl of Dartmouth says, that when Godolphin was Charles's page, the latter sketched his character very pithily; a character he maintained through life. "He is," said the king, "never in the way, nor out of the way." He very perspicaciously anticipated the king's wishes, with which he readily complied; but most other persons thought he was morose—an opinion which they probably formed from his remarkable taciturnity. Although he voted for the exclusion of the duke of York, yet, upon the latter's accession to the throne, he was made lord chamberlain to the queen; and the earl of Dartmouth says, she esteemed and trusted this nobleman more than any of her court, and that he continued to correspond with her after the Revolution by the agency of the countess of Lichfield, although Mr. Cesar, of Hertfordshire, was imprisoned for saying so in the house of commons.—(Oxford ed. of this work.) It is true that James had desired Godolphin's removal from the councils of his brother, (Clarendon Correspondence, i. 48); yet he admired his integrity, and earnestly desired

his support, which he thought would be acquired if he could be converted to the Roman Catholic faith. This conversion was even at one time hoped; for the earl of Dartmouth relates, that Ellis, one of the four popish bishops in James the Second's reign, told sir Thomas Dyke there was some doubt of Godolphin's being a protestant, and that masses were said daily in the king's chapel for his conversion. To which sir Thomas replied, "If he is in doubt with you, he is out of doubt with me." His continuing to be in favour with the exiled queen arose probably from his voting for a regency, in opposition to those who voted for William the Third assuming the crown, in 1689. Yet William employed him, as did his successor Anne. The latter, it is well known, had loved him during their youthful years, but the policy of our government would not permit their marriage. His integrity is proved by the fact, that though connected with the treasury for thirty years, nine of which he was its promoter, he died comparatively poor. The evidence of his unambitious nature is, that it required much persuasion to obtain his consent to be raised to the peerage, and to the order of the garter. He died in 1712, and was interred in Westminster Abbey.—Wood's Fasti Oxon.; Noble's Cont. of Grainger.

into it, a strong confederacy might then have been formed against France. Van Beuning was then in England, and he wrote to the town of Amsterdam, that they could not depend on the faith or assistance of England. He assured them the court was still in the French interest. He also looked on the jealousy between the court and the country party as then so high, that he did not believe it possible to heal matters so as to encourage the king to enter into any alliance that might draw on a war: for the king seemed to set that up for a maxim, that his going into a war was the putting himself into the hands of his parliament, and was firmly resolved against it. Yet the project of a league was formed: and the king seemed inclined to go into it as soon as matters could be well adjusted at home.

There was this year at midsummer a new practice begun in the city of London that produced very ill consequences. The city of London has by charter the shrivalty of Middlesex, as well as of the city; and the two sheriffs were to be chosen on midsummer day. But the common method had been for the lord mayor to name one of the sheriffs by drinking to him on a public occasion; and that nomination was commonly confirmed by the Common Hall, and then they named the other sheriff. The truth was, the way in which the sheriffs lived made it a charge of about 5000*l.* a-year; so they took little care about it, but only to find men that would bear the charge: which recommended them to be chosen aldermen upon the next vacancy, and to rise up according to their standing to the mayoralty, which generally went in course to the senior alderman. When a person was set up to be sheriff that would not serve, he compounded the matter for 400*l.* fine. All juries were returned by the sheriffs; but they commonly left that wholly in the hands of their under-sheriffs: so it was now pretended that it was necessary to look a little more carefully after this matter. The under-sheriffs were generally attorneys, and might be easily brought under the management of the court; so it was proposed that the sheriffs should be chosen with more care, not so much that they might keep good tables, as that they should return good juries. The person to whom the present mayor had drunk was set aside, and Bethel and Cornish were chosen sheriffs for the ensuing year. Bethel was a man of knowledge, and had written a very judicious book of the interests of princes; but as he was a known republican in principle, so he was a sullen and wilful man, and turned from the ordinary way of a sheriff's living into the extreme of sordidness, which was very unacceptable to the body of the citizens, and proved a great prejudice to the party. Cornish, the other sheriff, was a plain, warm, honest man, and lived very nobly all his year. The court was very jealous of this, and understood it to be done on design to pack juries; so that the party should be always safe, whatever they might engage in. It was said that the king would not have common justice done him hereafter against any of them, how guilty soever. The setting up Bethel gave a great colour to this jealousy; for it was said he had expressed his approving the late king's death in very indecent terms. These two persons had never before received the sacrament in the church, being independents; but they did it now to qualify themselves for this office, which gave great advantages against the whole party. It was said that the serving an end was a good resolver of all cases of conscience, and purged all scruples\*.

Thus matters went on till the winter of eighty, in which the king resolved to hold a session of parliament. He sent the duke to Scotland a few days before their meeting; and upon that the duchess of Portsmouth declared openly for the exclusion, and so did lord Sunderland and Godolphin. Lord Sunderland assured all people that the king was resolved to settle matters with his parliament on any terms, since the interest of England and the affairs

\* The charter of the city of London gives the right of electing the sheriffs to the citizens at large. It was their courtesy permitted the lord mayor to elect one by pledging his health; but such courtesy would not render his choice legal. A sheriff so elected would be puzzled to justify his title in answer to a *quo warranto*.

The meanness of Slingsby Bethel, one of the sheriffs mentioned in the text, is thus satirized by Dryden, in his "Absalom and Achitophel;"—

"Chaste were his cellars, and his shrivell'd board  
The grossness of a city feast abhorr'd,

His cooks, with long disuse, their trade forgot:

Cool was his kitchen, though his brains were hot."

He wrote the following works:—1. "The Interest of the Princes and States of Europe." At the end is a narrative of the chief occurrences in the parliament which sat during the protectorate of Richard Cromwell. 2. "Observations on a Letter written by the D. of B." And 3. "The World's Mistake in Oliver Cromwell."

Henry Cornish, the co-sheriff with Bethel, was murdered under a legal form in the reign of James the Second, for his activity in unravelling the popish plot.—State Trials; Biographia Britannica.

of Europe made a league against France indispensably necessary at that time, which could not be done without a good understanding at home. Lord Sunderland sent lord Arran for me. I declined this new acquaintance as much as I could, but it could not be avoided. He seemed then very zealous for a happy settlement. And this I owe him in justice, that though he went off from the measures he was in at that time, yet he still continued personally kind to myself. Now the great point was, whether the limitations should be accepted and treated about, or the exclusion be pursued. Lord Halifax assured me, that any limitations whatsoever that should leave the title of king to the duke, though it should be little more than a mere title, might be obtained of the king; but that he was positive and fixed against the exclusion. It is true, this was in a great measure imputed to his management, and that he had wrought the king up to it\*.

The most specious handle for recommending the limitations was this: the duke declared openly against them; so if the king should have agreed to them, it must have occasioned a breach between him and the duke. And it seemed to be very desirable to have them once fall out; since, as soon as that was brought about, the king of his own accord and for his own security might be moved to promote the exclusion. The truth is, lord Halifax's hatred of the earl of Shaftesbury, and his vanity in desiring to have his own notion preferred, sharpened him at that time to much indecency in his whole deportment. But the party depended on the hopes that lady Portsmouth and lord Sunderland gave them. Many meetings were appointed between lord Halifax and some leading men: in which as he tried to divert them from the exclusion, so they studied to persuade him to it, both without effect. The majority had engaged themselves to promote the exclusion; lord Russel moved it first in the house of commons, and was seconded by Capel, Montague, and Winnington. Jones came into the house a few days after this, and went with great zeal into it†. Jenkins, now made secretary of state in Coventry's place, was the chief manager for the court. He was a man of an exemplary life, and considerably learned; but he was dull and slow. He was suspected of leaning to popery, though very unjustly; but he was set on every punctilio of the church of England to superstition, and was a great assertor of the divine right of monarchy, and was for carrying the prerogative high. He neither spoke nor wrote well; but being so eminent for the most courtly qualifications, other matters were the more easily dispensed with. All his speeches and arguments against the exclusion were heard with indignation, so the bill was brought into the house. It was moved by those who opposed it, that the duke's daughters might be named in it, as the next in the succession; but it was said that was not necessary, for since the duke was only personally disabled, as if he had been actually dead, that carried the succession over to his daughters. Yet this gave a jealousy, as if it was intended to keep that matter still undetermined; and that upon another occasion it might be pretended, that the disabling the duke to succeed did likewise disable him to derive that right to others which was thus cut off in himself. But though they would not name the duke's daughters, yet they sent such assurances to the prince of Orange, that nothing thus proposed could be to his prejudice, that he believed them, and declared his desire that the king would fully satisfy his parliament. The States sent over memorials to the king, pressing him to consent to the exclusion. The prince did not openly appear in this; but, it being managed by Fagel, it was understood that he approved of it; and this

\* Sir J. Reresby and other authorities fully support the narrative in the text, as to the promoters and opponents of the bill of exclusion. It will ever remain a redeeming feature in the character of Charles, that no influence of interest or love could shake him from supporting his brother. The commons offered to pay his debts and promote his favourite politics, the duchess of Portsmouth tried all her seductive arts; but in vain. "There were many who believed the king would be tempted to comply;" but the earl of Halifax assured sir John Reresby, there was not the least probability that he would, for that it was like offering a man money to cut off his nose.—(Memoirs, 109.) It is to be observed that, coupled with the duke's exclusion were an act for the more frequent meetings of

parliament, and a desire that the king would change such councillors as the house of commons should request.

† This strenuous advocate of the exclusion did not long survive this period. He died at Hampden, in Buckinghamshire, owing to sleeping in damp sheets. A near relative of sir William, lord Trevor, told Mr. speaker Onslow that it was considered fortunate he died at this period, for he was privy to the designs of lord William Russel and his partisans; and being dangerous to the court on account of his superior abilities, would probably have been treated with particular severity, and being of a timid nature he might have made confessions injurious to his friends and his own character.—Onslow's Note in Oxford ed. of this work.



created a hatred in the duke to him, which was never to be removed. Lord Sunderland by Sidney's means engaged the States into it, and he fancied it might have some effect.

The bill of exclusion was quickly brought up to the lords. The earls of Essex and Shaftesbury argued most for it; and the earl of Halifax was the champion on the other side. He gained great honour in the debate, and had a visible superiority to lord Shaftesbury in the opinion of the whole house: and that was to him triumph enough. In conclusion, the bill was thrown out upon the first reading. The country party brought it nearer an equality than was imagined they could do, considering the king's earnestness in it, and that the whole bench of the bishops was against it. The commons were inflamed when they saw the fate of their bill. They voted an address to the king to remove lord Halifax from his counsels and presence for ever; which was an unparliamentary thing, since it was visible that it was for his arguing as he did in the house of lords, though they pretended it was for his advising the dissolution of the last parliament. But that was a thin disguise of their anger. Yet without destroying the freedom of debate they could not found their address on that which was the true cause of it. Russel and Jones, though formerly lord Halifax's friends, thought it was enough not to speak against him in the house of commons, but they sat silent. Some called him a papist, others said he was an atheist. Chichely, that had married his mother, moved that I might be sent for to satisfy the house as to the truth of his religion. I wish I could have said as much to have persuaded them that he was a good Christian as that he was no papist. I was at that time in a very good character in that house. The first volume of the History of the Reformation was then out, and was so well received, that I had the thanks of both houses for it, and was desired by both to prosecute that work. The parliament had made an address to the king for a fast day. Dr. Sprat and I were ordered to preach before the house of commons. My turn was in the morning. I mentioned nothing relating to the plot but what appeared in Coleman's letters; yet I laid open the cruelties of the church of Rome in many instances that happened in queen Mary's reign, which were not then known; and I aggravated, though very truly, the danger of falling under the power of that religion. I pressed also a mutual forbearance among ourselves in lesser matters. But I insisted most on the impiety and vices that had worn out all sense of religion, and all regard to it among us. Sprat in the afternoon went further into the belief of the plot than I had done. But he insinuated his fears of their undutifulness to the king in such a manner, that they were highly offended at him. So the commons did not send him thanks, as they did to me; which raised his merit at court as it increased the displeasure against me. Sprat had studied a polite style much, but there was little strength in it. He had the beginnings of learning laid well in him; but he has allowed himself in a course of some years in much sloth and too many liberties.

The king sent many messages to the house of commons, pressing for a supply: first for preserving Tangier, he being then in a war with the king of Fez, which by reason of the distance put him to much charge; but chiefly, for enabling him to go into alliances necessary for the common preservation.

The house upon that made a long representation to the king of the dangers that both he and they were in, and assured him they would do everything that he could expect of them, as soon as they were well secured: by which they meant, as soon as the exclusion should pass, and that bad ministers and ill judges should be removed. They renewed their address against lord Halifax, and made addresses both against the marquis of Worcester, soon after made duke of Beaufort, and against lord Clarendon and Hyde, as men inclined to popery. Hyde spoke so vehemently to vindicate himself from the suspicions of popery, that he cried in his speech; and Jones, upon the score of old friendship, got the words relating to popery to be struck out of the address against him. The commons also impeached several of the judges, and Mr. Seymour. The judges were accused for some illegal charges and judgments; and Seymour, for corruption and mal-administration in the office of treasurer of the navy. They impeached Scroggs for high treason; but it was visible that the matters objected to him were only misdemeanors. So the lords rejected the impeachment, which was carried chiefly by the earl of Danby's party, and in favour to him. The commons did also assert the right of the people to petition for a parliament; and because some in their counter-

petitions had expressed their abhorrence of this practice, they voted these abhorers to be betrayers of the liberties of the nation. They expelled one Withins out of their house for signing one of these, though he with great humility confessed his fault, and begged pardon for it. The merit of this raised him soon to be a judge, for indeed he had no other merit\*. They fell also on sir George Jeffreys, a furious declaimer at the bar; but he was raised by that, as well as by this prosecution. The house did likewise send their serjeant to many parts of England to bring up abhorers as delinquents; upon which the right that they had to imprison any besides their own members came to be much questioned, since they could not receive an information upon oath, nor proceed against such as refused to appear before them. In many places those for whom they sent their serjeant refused to come up. It was found that such practices were grounded on no law, and were no older than queen Elizabeth's time. While the house of commons used that power gently, it was submitted to in respect to it; but now it grew to be so much extended, that many resolved not to submit to it. The former parliament had passed a very strict act for the due execution of the Habeas Corpus, which was indeed all they did. It was carried by an odd artifice in the house of lords. Lord Grey and lord Norris were named to be the tellers. Lord Norris, being a man subject to vapours, was not at all times attentive to what he was doing; so a very fat lord coming in, lord Grey counted him for ten, as a jest at first; but, seeing lord Norris had not observed it, he went on with his misreckoning of ten. So it was reported to the house, and declared that they who were for the bill were the majority, though it indeed went on the other side. And by this means the bill passed. There was a bold, forward man, Sheridan, a native of Ireland, whom the commons committed, and he moved for his habeas corpus. Some of the judges were afraid of the house, and kept out of the way; but baron Weston had the courage to grant it. The session went yet into a higher strain, for they voted that all anticipations on any branches of the revenue were against law, and that whosoever lent any money upon the credit of those anticipations were public enemies to the kingdom. Upon this it was said that the parliament would neither supply the king themselves, nor suffer him to make use of his credit, which every private man might do. They said, on the other hand, that they looked on the revenue as a public treasure, that was to be kept clear of all anticipations, and not as a private estate that might be mortgaged. And they thought, when all other means of supply except by parliament were stopped, that must certainly bring the king to their terms. Yet the clamour raised on this, as if they had intended to starve the king and blast his credit, was a great load on them; and their vote had no effect, for the king continued to have the same credit that he had before. Another vote went much higher: it was for an association, copied from that in queen Elizabeth's time, for the revenging the king's death upon all papists, if he should happen to be killed. The precedent of that time was a specious colour. But this difference was assigned between the two cases: queen Elizabeth was in no danger but from papists; so that association struck a terror into that whole party, which did prove a real security to her, and therefore her ministers set it on. But now it was said there were many republicans still in the nation, and many of Cromwell's officers were yet alive, who seemed not to repent of what they had done; so some of these might by this means be encouraged to attempt on the king's life, presuming that both the suspicions and revenges of it would be cast upon the duke and the papists. Great use was made of this to possess all people, that this association was intended to destroy the king instead of preserving him.

There was not much done in the house of lords after they threw out the bill of exclusion. Lord Halifax indeed pressed them to go on to limitations; and he began with one, that the duke should be obliged to live five hundred miles out of England during the king's life. But the house was cold and backward in all that matter. Those that were really the duke's friends abhorred all those motions, and lord Shaftesbury and his party laughed at them:

\* Sir Francis Withins was a contemptible wretch. When called upon by the house of commons to explain why he had sided with the court party in reprobating petitioning, he showed himself such a sneaking poltroon, that, as North says, even his own friends voted against him, and

he was unanimously expelled the house. When on the bench, his treatment of the prisoners tried before him are ample illustrations that cruelty is the associate of cowardice.—State Trials; Woolrych's Memoirs of Judge Jeffreys, &c.

they were resolved to let all lie in confusion, rather than hearken to anything besides the exclusion. The house of commons seemed also to be so set against that project that very little progress was made in it. Lord Essex made a motion, which was agreed to in a thin house; but it put an end to all discourses of that nature. He moved, that an association should be entered into to maintain those expedients, and that some cautionary towns should be put into the hands of the associators during the king's life to make them good after his death. The king looked on this as a deposing of himself. He had read more in Davila than in any other book of history; and he had a clear view into the consequences of such things, and looked on this as worse than the exclusion. So that, as lord Halifax often observed to me, this whole management looked like a design to unite the king more entirely to the duke, instead of separating him from him. The king came to think that he himself was levelled at chiefly, though for decency's sake his brother only was named. The truth was, the leading men thought they were sure of the nation, and of all future elections, as long as popery was in view. They fancied the king must have a parliament, and money from it very soon, and that in conclusion he would come in to them. He was much beset by all the hungry courtiers, who longed for a bill of money. They studied to persuade him, from his father's misfortunes, that the longer he was in yielding, the terms would grow the higher.

They relied much on the lady Portsmouth's interest, who did openly declare herself for the house of commons; and they were so careful of her, that when one moved that an address should be made to the king for sending her away, he could not be heard, though at another time such a motion would have been better entertained. Her behaviour in this matter was unaccountable. And the duke's behaviour to her afterwards looked more like an acknowledgment than a resentment. Many refined upon it, and thought she was set on as a decoy to keep the party up to the exclusion, that they might not hearken to the limitations. The duke was assured that the king would not grant the one, and so she was artificially managed to keep them from the other, to which the king would have consented, and of which the duke was most afraid. But this was too fine: she was hearty for the exclusion; of which I had this particular account from Montague, who I believe might be the person that laid the bait before her. It was proposed to her, that if she could bring the king to the exclusion, and to some other popular things, the parliament would go next to prepare a bill for securing the king's person: in which a clause might be carried, that the king might declare the successor to the crown, as had been done in Henry the Eighth's time. This would very much raise the king's authority, and would be no breach with the prince of Orange, but would rather oblige him to a greater dependence on the king. The duke of Monmouth and his party would certainly be for this clause, since he could have no prospect any other way; and he would please himself with the hopes of being preferred by the king to any other person. But since the lady Portsmouth found she was so absolutely the mistress of the king's spirit, she might reckon that, if such an act could be carried, the king would be prevailed on to declare her son his successor. And it was suggested to her, that in order to the strengthening her son's interest she ought to treat for a match with the king of France's natural daughter, now the duchess of Bourbon. And thus the duke of Monmouth and she were brought to an agreement to carry on the exclusion, and that other act pursuant to it; and they thought they were making tools of one another to carry on their own ends. The nation was possessed with such a distrust of the king, that there was no reason to think they could ever be brought to so entire a confidence in him, as to deliver up themselves and their posterity so blindfold into his hands. Montague assured me that she not only acted heartily in this matter, but she once drew the king to consent to it, if she might have had 800,000*l.* for it; and that was afterwards brought down to 600,000*l.* But the jealousies upon the king himself were such, that the managers in the house of commons durst not move for giving money till the bill of exclusion should pass, lest they should have lost their credit by such a motion. And the king would not trust them. So near was this point brought to an agreement, if Montague told me true.

That which reconciled the duke to the duchess of Portsmouth was, that the king assured him she did all by his order, that so she might have credit with the party and see into their



designs. Upon which the duke saw it was necessary to believe this, or at least to seem to believe it.

The other great business of this parliament was the trial of the viscount of Stafford, who was the younger son of the old earl of Arundel, and so was uncle to the duke of Norfolk. He was a weak, but a fair conditioned man. He was on ill terms with his nephew's family : and had been guilty of great vices in his youth, which had almost proved fatal to him. He married the heiress of the great family of the Staffords. He thought the king had not rewarded him for his former services as he had deserved ; so he often voted against the court, and made great applications always to the earl of Shaftesbury. He was on no good terms with the duke ; for the great consideration the court had of his nephew's family made him to be the most neglected. When Oates deposed first against him, he happened to be out of the way ; and he kept out a day longer. But the day after he came in, and delivered himself ; which, considering the feebleness of his temper, and the heat of that time, was thought a sign of innocence. Oates and Bedlow swore he had a patent to be paymaster-general to the army. Dugdale swore that he offered him 500*l.* to kill the king. Bedlow had died the summer before at Bristol. It was in the time of the assizes. North, lord chief justice of the common pleas, being there, he sent for him, and by oath confirmed all that he had sworn formerly, except that which related to the queen and to the duke. He also denied upon oath that any person had ever practised upon him, or corrupted him. His disowning some of the particulars which he had sworn, had an appearance of sincerity, and gave much credit to his former depositions. I could never hear what sense he expressed of the other ill parts of his life, for he vanished soon out of all men's thoughts.

Another witness appeared against lord Stafford, one Turbervill : who swore, that in the year seventy-five the lord Stafford had taken much pains to persuade him to kill the king. He began the proposition to him at Paris, and sent him by the way of Dieppe over to England, telling him that he intended to follow by the same road ; but he wrote afterwards to him that he was to go by Calais. But he said he never went to see him upon his coming to England. Turbervill swore the year wrong at first, but upon recollection he went and corrected that error. This at such a distance of time seemed to be no great matter. It seemed much stranger, that after such discourses once begun he should never go near the lord Stafford, and that lord Stafford should never enquire after him. But there was a much more material objection to him. Turbervill, upon discourse with some in St. Martin's parish, seemed inclined to change his religion. They brought him to Dr. Lloyd, then their minister, and he convinced him so fully that he changed upon it. And after that he came often to him, and was chiefly supported by him. For some months he was constantly at his table. Lloyd had pressed him to recollect all that he had heard among the papists, relating to plots and designs against the king or the nation. He said that which all the converts at that time said often, that they had it among them that within a very little while their religion would be set up in England ; and that some of them said a great deal of blood would be shed before it could be brought about ; but he protested that he knew no particulars. After some months' dependence on Lloyd he withdrew entirely from him, and he saw him no more till he appeared now an evidence against lord Stafford. Lloyd was in great difficulties upon that occasion. It had been often declared that the most solemn denials of witnesses before they make discoveries did not at all invalidate their evidence ; and that it imported no more, but that they had been so long firm to their promise of revealing nothing : so that this negative evidence against Turbervill could have done lord Stafford no service. On the other hand, considering the load that already lay on Lloyd on the account of Berry's business, and that his being a little before this time promoted to be bishop of St. Asaph was imputed to that, it was visible that his discovering this against Turbervill would have aggravated those censures and very much blasted him. In opposition to all this, here was a justice to be done, and a service to truth, towards the saving a man's life. And the question was very hard to be determined \*. He advised with all his friends, and with myself in particular. The much greater number were of opinion that he ought to be silent. I said my own behaviour in

\* Where was the difficulty ? None but a heartless man and a poltroon would hesitate to strive to save the life of a fellow-creature, though it might injure their own advancement.

Staley's affair showed what I would do if I was in that case; but his circumstances were very different; so I concurred with the rest as to him. He had another load on him: he had written a book with very sincere intentions, but upon a very tender point; he proposed, that a discrimination should be made between the regular priests that were in a dependence and under directions from Rome, and the secular priests that would renounce the pope's deposing power and his infallibility. He thought this would raise heats among themselves, and draw censures from Rome on the seculars, which in conclusion might have very good effects. This was very plausibly written, and designed with great sincerity; but angry men said, all this was intended only to take off so much from the apprehensions that the nation had of popery, and to give a milder idea of a great body among them; and as soon as it had that effect, it was probable that all the missionaries would have leave given them to put on that disguise, and to take those discriminating tests till they had once prevailed, and then they would throw them off. Thus the most zealous man against popery that I ever yet knew, and the man of the most entire sincerity, was so heavily censured at this time, that it was not thought fit, nor indeed safe, for him to declare what he knew concerning Turbervill.

The trial was very august: the earl of Nottingham was the lord high steward; it continued five days. On the first day the commons brought only general evidence to prove the plot. Smith swore some things that had been said to him at Rome of killing the king; an Irish priest that had been long in Spain confirmed many particulars in Oates's narrative; then the witnesses deposed all that related to the plot in general. To all this lord Stafford said little, as not being much concerned in it; only he declared that he was always against the pope's power of deposing princes. He also observed a great difference between the Gunpowder Plot and that which was now on foot: that in the former all the chief conspirators died confessing the fact, but that now all died with the most solemn protestations of their innocence. On the second day the evidence against himself was brought: he urged against Oates that he swore he had gone in among them on design to betray them; so that he had been for some years taking oaths and receiving sacraments in so treacherous a manner, that no credit could be given to a man that was so black by his own confession. On the third day he brought his evidence to discredit the witnesses: his servant swore that while he was at the lord Aston's, Dugdale never was in his chamber but once, and that was on the account of a foot race. Some deposed against Dugdale's reputation; and one said that he had been practising on himself to swear as he should direct him. The minister of the parish and another gentleman deposed, that they heard nothing from Dugdale concerning the killing a justice of peace in Westminster, which, as he had sworn, he had said to them. As to Turbervill, who had said that the lord Stafford was at that time in a fit of the gout, his servants said they never knew him in a fit of the gout; and he himself affirmed, he never had one in his whole life. He also proved that he did not intend to come to England by Dieppe, for he had written for a yacht, which met him at Calais. He also proved by several witnesses that both Dugdale and Turbervill had often said that they knew nothing of any plot; and that Turbervill had lately said he would set up for a witness, for none lived so well as witnesses did. He insisted likewise on the mistake of the year, and on Turbervill's never coming near him after he came over to England. The strongest part of his defence was, that he made it out unanswerably, that he was not at the lord Aston's on one of the times that Dugdale had fixed on; for at that time he was either at Bath, or at Badminton. For Dugdale had once fixed on a day, though afterwards he said it was about that time. Now that day happened to be the marquis of Worcester's wedding-day; and on that day it was fully proved that he was at Badminton, that lord's house, not far from Bath. On the fourth day proofs were brought to support the credit of the witnesses. It was made out, that Dugdale had served the lord Aston long and with great reputation. It was now two full years since he began to make discoveries; and in all that time they had not found any one particular to blemish him with, though no doubt they had taken pains to examine into his life. His publishing the news of Godfrey's death was well made out, though two persons in the company had not minded it. Many proofs were brought that he was often in lord Stafford's company, of which many more affidavits were made after that lord's death. Two women that were still rapists swore, that upon the breaking out of the plot he searched into many papers, and

burnt them. He gave many of these to one of the women to fling into the fire ; but finding a book of accounts he laid that aside, saying, there is no treason here, which imported that he thought the others were treasonable. He proved that one of the witnesses brought against him was so infamous in all respects, that lord Stafford himself was convinced of it. He said he had only pressed a man, who now appeared against him, to discover all he knew. He said at such a distance of time he might mistake as to time, or a day, but could not be mistaken as to the things themselves. Turbervill described both the street and the room in Paris in which he saw lord Stafford. He found a witness that saw him at Dieppe, to whom he complained that a lord for whom he looked had failed him ; and upon that he said he was no good staff to lean on : by which, though he did not name the lord, he believed he meant lord Stafford. Dugdale and he both confessed they had denied long that they knew anything of the plot, which was the effect of the resolution they had taken, to which they adhered long, of discovering nothing. It was also proved that lord Stafford was often lame, which Turbervill took for the gout. On the fifth day lord Stafford resumed all his evidence, and urged every particular very strongly. Jones, in the name of the commons, did on the other hand resume the evidence against him with great force ; he said indeed nothing for supporting Oates, for the objection against him was not to be answered. He made it very clear that Dugdale and Turbervill were two good witnesses, and were not at all discredited by anything that was brought against them. When it came to the giving of judgment, above fifty of the peers gave it against lord Stafford, and above thirty acquitted him. Four of the Howards, his kinsmen, condemned him. Lord Arundel, afterwards duke of Norfolk, though in enmity with him, did acquit him. Duke Lauderdale condemned him ; and so did both the earls of Nottingham and Anglesey. Lord Halifax acquitted him. Lord Nottingham, when he gave judgment, delivered it with one of the best speeches he had ever made. But he committed one great indecency in it ; for he said, who can doubt any longer that London was burnt by papists ; though there was not one word in the whole trial relating to that matter. Lord Stafford behaved himself during the whole time, and at the receiving his sentence, with much more constancy than was expected from him.

Within two days after, he sent a message to the lords, desiring that the bishop of London and I might be appointed to come to him. We waited on him. His design seemed to be only to possess us with an opinion of his innocence, of which he made very solemn protestations. He heard us speak of the points in difference between us and the church of Rome with great temper and attention. At parting, he desired me to come back to him next day, for he had a mind to be more particular with me. When I came to him he repeated the protestations of his innocence, and said he was confident the villany of the witnesses would soon appear ; he did not doubt I should see it in less than a year. I pressed him in several points of religion, and urged several things, which he said he had never heard before. He said these things on another occasion would have made some impression upon him ; but he had now little time, therefore he would lose none in controversy ; so I let that discourse fall. I talked to him of those preparations for death in which all Christians agree. He entertained these very seriously. He had a mind to live, if it was possible. He said he could discover nothing with relation to the king's life, protesting that there was not so much as an intimation about it that had ever passed among them. But he added, that he could discover many other things that were more material than anything that was yet known, and for which the duke would never forgive him ; and of these, if that might save his life, he would make a full discovery. I stopped him when he was going on to particulars ; for I would not be a confidant in anything in which the public safety was concerned. He knew best the importance of those secrets, and so he only could judge whether it would be of that value as to prevail with the two houses to interpose with the king for his pardon. He seemed to think it would be of great use, chiefly to support what they were then driving on with relation to the duke. He desired me to speak to lord Essex, lord Russel, and sir William Jones. I brought him their answer the next day ; which was, that if he did discover all he knew concerning the papists' designs, and more particularly concerning the duke, they would endeavour that it should not be insisted on, that he must confess those particulars for which he was judged. He asked me what if he should name some who had now great credit, but had



once engaged to serve their designs. I said nothing could be more acceptable than the discovering such disguised papists, or false protestants. Yet upon this I charged him solemnly not to think of redeeming his own life by accusing any other falsely, but to tell the truth, and all the truth, as far as the common safety was concerned in it. As we were discoursing of these matters the earl of Carlisle came in. In his hearing, by lord Stafford's leave, I went over all that had passed between us, and did again solemnly adjure him to say nothing but the truth. Upon this he desired the earl of Carlisle to carry a message from him to the house of lords, that whensoever they would send for him he would discover all that he knew. Upon that he was immediately sent for. And he began with a long relation of their first consultations after the Restoration, about the methods of bringing in their religion, which they all agreed could only be brought about by a toleration. He told them of the earl of Bristol's project; and went on to tell who had undertaken to procure the toleration for them; and then he named the earl of Shaftesbury. When he named him he was ordered to withdraw, and the lords would hear no more from him. It was also given out, that in this I was a tool of lord Halifax's to bring him thither to blast lord Shaftesbury. He was sent back to the Tower, and then he composed himself in the best way he could to suffer, which he did with a constant and undisturbed mind. He supped and slept well the night before his execution, and died without any show of fear or disorder. He denied all that the witnesses had sworn against him. And this was the end of the plot. I was very unjustly censured on both hands. The earl of Shaftesbury railed so at me that I went no more near him. And the duke was made believe that I had persuaded lord Stafford to charge him, and to discover all he knew against him; which was the beginning of the implacable hatred he showed on many occasions against me. Thus the most innocent and best meant parts of a man's life may be misunderstood and highly censured\*.

The house of commons had another business before them in this session. There was a severe act passed in the end of queen Elizabeth's reign, when she was highly provoked with the seditious behaviour of the Puritans, by which those who did not conform to the church were required to abjure the kingdom under the pain of death. And for some degrees of non-conformity they were adjudged to die, without the favour of banishment. Both houses passed a bill for repealing this act. It went indeed heavily in the house of lords; for many of the bishops, though they were not for putting that law in execution, which had never been done but in one single instance, yet they thought the terror of it was of some use, and that the repealing it might make the party more insolent. On the day of the prorogation the bill ought to have been offered to the king; but the clerk of the crown, by the king's particular order, withdrew the bill. The king had no mind openly to deny it, but he had less mind to pass it. So this indiscreet method was taken, which was a high offence in the clerk of the crown. There was a bill of comprehension offered by the episcopal party in the house of commons, by which the presbyterians would have been taken into the church; but, to the amazement of all people, their party in the house did not seem concerned to promote it: on the contrary they neglected it. This increased the jealousy, as if they had hoped they were to near the carrying all before them, that they despised a comprehension. There was no great progress made in this bill. But in the morning before they were prorogued two votes were carried in the house of a very extraordinary nature. The one was, that the laws made against recusants ought not to be executed against any but those of the church of Rome. That was indeed the primary intention of the law; yet all persons who came not to church, and did not receive the sacrament once a year, were within the letter of the law. The other vote was, that it was the opinion of that house that the laws against dissenters ought not

\* William Howard, viscount Stafford, was the victim selected by those who maintained the existence of the popish plot, upon whom to exhibit that a majority of the house of lords supported that opinion. Keresby says that this nobleman was selected because he was esteemed of weak capacity, and therefore "less able to labour his defence; but he deceived them so far as to plead his cause to a miracle." Five years after his execution, namely, in 1685, a bill passed the house of peers, but

was lost in the house of commons, entitled, "An Act for reversing the attainder of William, late viscount Stafford;" its preamble stating, "that it is now manifest that he died innocent; that the testimony on which he was convicted was false; and that it appears, by record of the king's bench, that one of the witnesses was convicted of perjury." The whole evidence and proceedings are given in the State Trials.

to be executed. This was thought a great invasion of the legislature, when one house pretended to suspend the execution of laws, which was to act like dictators in the state; for they meant that courts and juries should govern themselves by the opinion that they now gave; which, instead of being a kindness to the nonconformists, raised a new storm against them over all the nation. When the king saw no hope of prevailing with the commons on any other terms but his granting the exclusion, he resolved to prorogue the parliament. And it was dissolved in a few days after, in January, eighty-one.

The king resolved to try a parliament once more; but apprehending that they were encouraged, if not inflamed, by the city of London, he summoned the next parliament to meet at Oxford. It was said, men were now very bold about London by their confidence in the juries, that the sheriffs took care to return. Several printers were indicted for scandalous libels that they had printed; but the grand juries returned an *ignoramus* upon the bills against them, on this pretence, that the law only condemned the printing such libels maliciously and seditiously, and that it did not appear that the printers had any ill intentions in what they did; whereas, if it was found that they printed such libels, the construction of law made that to be malicious and seditious. The elections over England for the new parliament went generally for the same persons that had served in the former parliament. And in many places it was given as an instruction to the members to stick to the bill of exclusion.

The king was now very uneasy; he saw he was despised all Europe over, as a prince that had neither treasure nor power; so one attempt more was to be made, which was to be managed chiefly by Littleton, who was now brought into the commission of the admiralty. I had once, in a long discourse with him, argued against the expedients, because they did really reduce us to the state of a commonwealth. I thought a much better way was, that there should be a protector declared, with whom the regal power should be lodged, and that the prince of Orange should be the person. He approved the notion; but thought that the title protector was odious, since Cromwell had assumed it, and that, therefore, regent would be better. We dressed up a scheme of this for nearly two hours; and I dreamed no more of it. But some days after he told me the notion took with some, and that both lord Halifax and Seymour liked it; but he wondered to find lord Sunderland did not go into it. He told me after the parliament was dissolved, but in great secrecy, that the king himself liked it. Lord Nottingham talked in a general and odd strain about it. He gave it out, that the king was resolved to offer one expedient, which was beyond anything that the parliament could have the confidence to ask. Littleton pressed me to do what I could to promote it, and said that as I was the first that had suggested it, so I should have the honour of it, if it proved so successful as to procure the quieting of the nation. I argued upon it with Jones; but I found they had laid it down for a maxim, to hearken to nothing but the exclusion. All the duke of Monmouth's party looked on this as that which must put an end to all his hopes. Others thought, in point of honour they must go on as they had done hitherto. Jones stood upon a point of law, of the inseparableness of the prerogative from the person of the king. He said, an infant or a lunatic was in a real incapacity of struggling with his guardians; but that if it was not so, the law that constituted their guardians would be of no force. He said, if the duke came to be king, the prerogative would by that vest in him; and the prince regent and he must either strike up a bargain, or it must end in a civil war, in which he believed the force of law would give the king the better of it. It was not to be denied but that there was some danger in this; but in the ill circumstances in which we were, no remedies could be proposed that were without great inconveniences, and that were not liable to much danger. In the meanwhile, both sides were taking all the pains they could to fortify their party; and it was very visible, that the side which was for the exclusion was likely to be the strongest.

A few days before the king went to Oxford, Fitzharris, an Irish papist, was taken up for framing a malicious and treasonable libel against the king and his whole family. He had met with one Everard, who pretended to make discoveries, and as was thought, had mixed a great deal of falsehood with some truth; but he held himself in general terms, and did not descend to so many particulars as the witnesses had done. Fitzharris and he had been

acquainted in France, so on that confidence he showed him his libel ; and he made an appointment to come to Everard's chamber, who thought he intended to trepan him, and so had placed witnesses to overhear all that passed. Fitzharris left the libel with him, all written in his own hand. Everard went with the paper, and with his witnesses, and informed against Fitzharris, who upon that was committed. But seeing the proof against him was likely to be full, he said the libel was drawn by Everard, and only copied by himself : but he had no sort of proof to support this. Cornish, the sheriff, going to see him, he desired he would bring him a justice of peace, for he could make a great discovery of the plot, far beyond all that was yet known. Cornish, in the simplicity of his heart, went and acquainted the king with this ; for which he was much blamed, for it was said, by this means that discovery might have been stopped. But his going first with it to the court proved afterwards a great happiness both to himself and to many others. The secretaries, and some privy councillors, were upon that sent to examine Fitzharris ; to whom he gave a long relation of a practice to kill the king, in which the duke was concerned, with many other particulars which need not be mentioned, for it was all a fiction. The secretaries came to him a second time to examine him farther. He boldly stood to all he had said, and he desired that some justices of the city might be brought to him. So Clayton and Treby went to him, and he made the same pretended discovery to them over again ; and insinuated, that he was glad it was now in safe hands that would not stifle it. The king was highly offended with this, since it plainly showed a distrust of his ministers. And so Fitzharris was removed to the Tower, which the court resolved to make the prison for all offenders, till there should be sheriffs chosen more at the king's devotion. Yet the deposition made to Clayton and Treby was in all points the same that he had made to the secretaries ; so that there was no colour for the pretence afterward put on this, as if they had practised on him.

The parliament met at Oxford in March ; the king opened it with severe reflections on the proceedings of the former parliament. He said he was resolved to maintain the succession of the crown in the right line : but for quieting his people's fears he was willing to put the administration of the government into protestants' hands. This was explained by Ernley and Littleton to be meant of a prince regent, with whom the regal prerogative should be lodged during the duke's life. Jones and Littleton managed the debate on the grounds formerly mentioned ; but in the end the proposition was rejected, and they resolved to go again to the bill of exclusion, to the great joy of the duke's party, who declared themselves more against this than against the exclusion itself. The commons resolved likewise to take the management of Fitzharris's affair out of the hands of the court : so they carried to the lords' bar an impeachment against him, which was rejected by the lords upon a pretence with which lord Nottingham furnished them. It was this : Edward the Third had got some commoners to be condemned by the lords, of which when the house of commons complained, an order was made, that no such thing should be done for the future. Now that related only to proceedings at the king's suit : but it could not be meant that an impeachment from the commons did not lie against a commoner. Judges, secretaries of state, and the lord keeper were often commoners : so if this was good law, here was a certain method offered to the court, to be troubled no more with impeachments, by employing only commoners. In short, the peers saw the design of this impeachment, and were resolved not to receive it ; and so made use of this colour to reject it. Upon that the commons passed a vote, that justice was denied them by the lords ; and they also voted, that all those who concurred in any sort, in trying Fitzharris in any other court, were betrayers of the liberties of their country. By these steps, which they had already made, the king saw what might be expected from them : so very suddenly, and not very decently, he came to the house of lords, the crown being carried between his feet in a sedan. And he put on his robes in haste, without any previous notice, and called up the commons, and dissolved the parliament ; and went with such haste to Windsor, that it looked as if he was afraid of the crowds that this meeting had brought to Oxford \*.

Immediately upon this the court took a new ply : and things went in another channel : of

\* North in his "Examen," and Ralph in his "History," give still fuller details of this short, yet violent session, both agreeing closely with Burnet's statement.



which I go next to give as impartial an account, as I have hitherto given of the plot, and of all that related to it. At this time the distinguishing names of *Whig* and *Tory* came to be the denominations of the parties. I have given a full account of all errors during this time with the more exactness, to warn posterity from falling into the like excesses, and to make it appear how mad and fatal a thing it is to run violently into a torrent, and in a heat to do those things which may give a general disgust, and to set precedents to others, when times turn, to justify their excesses, by saying they do only follow the steps of those who went before them. The shedding so much blood upon such doubtful evidence was likely to have proved fatal to him who drove all these things on with the greatest fury: I mean the earl of Shaftesbury himself. And the strange change that appeared over the nation with relation to the duke, from such an eager prosecution of the exclusion, to an indecent courting and magnifying him, not without a visible coldness towards the king in comparison of him, shewed how little men could build on popular heats, which have their ebbings and flowings, and their hot and cold fits, almost as certain as seas, or fevers have. When such changes happen, those who have been as to the main with the side that is run down, will be charged with all the errors of their side, how much soever they may have opposed them. I, who had been always in distrust of the witnesses, and dissatisfied with the whole method of proceedings, yet came to be fallen on not only in pamphlets and poems, but even in sermons, as if I had been an incendiary, and a main stickler against the court, and in particular against the duke. So upon this I went into a closer retirement; and to keep my mind from running after news and affairs, I set myself to the study of philosophy and algebra. I diverted myself with many processes in chemistry; and I hope I went into the best exercises, from which I had been much diverted by the bustling of a great town in so hot a time. I had been much trusted by both sides; and that is a very dangerous state; for a man may come upon that to be hated and suspected by both. I withdrew much from all conversation; only I lived still in a particular confidence with the lords Essex and Russel.

The king set out a declaration for satisfying his people: he reckoned up in it all the hard things that had been done by the three last parliaments; and set out their undutiful behaviour to himself in many instances; yet in conclusion he assured his good subjects, that nothing should ever alter his affection to the protestant religion as established by law, nor his love to parliaments; for he would have still frequent parliaments. When this passed in council, the archbishop of Canterbury moved, that an order should be added to it, requiring the clergy to publish it in all the churches of England: this was looked on as a most pernicious precedent, by which the clergy were made the heralds to publish the king's declarations, which in some instances might come to be not only indecent but mischievous. An answer was written to the king's declaration with great spirit and true judgment. It was at first penned by Sidney; but a new draught was made by Somers, and corrected by Jones. The spirit of that side was now spent; so that this, though the best written paper in all that time, yet had no great effect. The declaration raised over England a humour of making addresses to the king, as it were in answer to it. The grand juries, and the bench of justices, in the counties, the cities and boroughs, the franchises and corporations, many manors, the companies in towns, and at last the very apprentices sent up addresses. Of these some were more modestly penned, and only expressed their joy at the assurances they saw in the king's declaration; and concluded, that they upon that dedicated their lives and fortunes to his service. But the greater number, and the most acceptable, were those who declared they would adhere to the unalterable succession of the crown in the lineal and legal descent, and condemned the bill of exclusion. Others went higher, and arraigned the late parliaments as guilty of sedition and treason. Some reflected severely on the non-conformists, and thanked the king for his not repealing that act of the thirty-sixth of queen Elizabeth, which they prayed might be put in execution. Some of the addresses were very high panegyrics, in which the king's person and government were much magnified. Many of those who brought these up were knighted upon it: and all were well treated at court. Many zealous healths were drank among them; and in their cups the old valour and the swaggerings of the cavaliers seemed to be revived. The ministers saw through this, and that it was an empty noise, and a false shew; but it was thought necessary then to encourage it. Though lord Halifax

could not restrain himself from shewing his contempt of it, in a saying that was much repeated; he said, the petitioners for a parliament spit in the king's face, but the addressers spit in his mouth. As the country sent up addressers, so the town sent down pamphlets of all sorts to possess the nation much against the late parliament; and the clergy struck up to a higher note, with such zeal for the duke's succession, as if a popish king had been a special blessing from heaven, to be much longed for by a protestant church. They likewise gave themselves such a loose against non-conformists, as if nothing were so formidable as that party; so that in all their sermons popery was quite forgotten, and the force of their zeal was turned almost wholly against the dissenters; who were now by order from the court to be proceeded against according to law. There was also a great change made in the commissions all England over: none were left either on the bench, or in the militia, that did not with zeal go into the humour of the court. And such of the clergy as would not engage in that fury, were cried out upon as the betrayers of the church, and as secret favourers of the dissenters. The truth is, the numbers of these were not great: one observed rightly, that, according to the proverb in the gospel, "where the carcase is, the eagles will be gathered together." The scent of preferment will draw aspiring men after it.

Fitzharris's trial came on in Easter term: Scroggs was turned out, and Pemberton was made chief justice. His rise was so particular, that it is worth the being remembered: in his youth he mixed with such lewd company, that he quickly spent all he had, and ran so deeply in debt that he was cast into a jail, where he lay many years: but he followed his studies so closely in the jail, that he became one of the ablest men of his profession. He was not wholly for the court: he had been a judge before, and was turned out by Scroggs's means; and now he was raised again, and was afterwards made chief justice of the other bench; but not being compliant enough, he was turned out a second time, when the court would be served by none but by men of a thorough-paced obsequiousness\*. Fitzharris pleaded the impeachment in parliament; but since the lords had thrown that out it was overruled. He pretended he could discover the secret of Godfrey's murder; he said, he heard the earl of Danby say at Windsor, that it must be done: but when the judge told the grand jury, that what was said at Windsor did not lie before them, Fitzharris immediately said, he had heard him say the same thing at Whitehall. This was very gross: yet upon so slight an evidence they found the bill against the lord Danby. And when they were reproached with it, they said a dubious evidence was a sufficient ground for a grand jury: yet another doctrine was set up by the same sort of men within a few months.

Plunket, the popish primate of Armagh, was at this time brought to his trial. Some lewd Irish priests, and others of that nation, hearing that England was at that time disposed to hearken to good swearers, thought themselves well qualified for the employment: so they came over to swear, that there was a great plot in Ireland, to bring over a French army, and

\* Sir Francis Pemberton was one of many examples that a superior advocate is not necessarily an able judge. His judicial deficiency was not perceived by himself; and when he boasted that he *made* rather than *declared* the laws, he unwittingly confessed that he outstepped the duties of his office. So notoriously did he follow the dictates of his own mind, rather than the clauses of the statute-book, that lord keeper Guildford remarked that "in making law, he had outdone king, lords, and commons."—(Life of L. K. Guildford, 222.) North, in the same work, observes, "this man's morals were very indifferent; for his beginnings were debauched, and his study and first practice in the gaol; for having been one of the fiercest town rakes, and spent more than he had of his own, his case forced him upon that expedient for a lodging; and there he made so good use of his leisure, and busied himself with the cases of his fellow-collegiates, informing and advising them so skilfully, that he was reputed the most notable fellow within those walls, and, at length, he came out a sharper at the law; after that he proceeded to study and practice, till he was eminent, and made a serjeant. He sat in the King's Bench till near the time that the great cause of the

*quo warranto* against the city of London was to be brought to judgment in that court; and then he was removed. The truth is, it was not thought reasonable to trust that cause, on which the peace of the government so much depended, in a court where the chief never shewed so much regard to the law as to his own will; and notorious as he was for little honesty, boldness, cunning, and incontrollable opinion of himself. After this removal he returned to his practice, and by that (as it seems the rule is) he lost his style of 'lordship,' and became bare 'Mr. Serjeant' again. His business lay chiefly in the common pleas." This too severe character of Pemberton arose from the high prerogative prejudices of the writer; for Pemberton, as Burnet observes, "was not wholly for the court." It is perhaps certain that he was not a deep lawyer, but he was a conscientious man; and instead of his being removed because he was unlikely to do justice in the case of the *quo warranto*, or, as others hint, because he was guilty of taking bribes, it seems more than probable that the cause of his disgrace was his lenient treatment of the unfortunate lord William Russell.

to massacre all the English. The witnesses were brutal and profligate men : yet the earl of Shaftesbury cherished them much : they were examined by the parliament at Westminster ; and what they said was believed. Upon that encouragement it was reckoned that we should have witnesses come over in whole companies. Lord Essex told me, that this Plunket was a wise and sober man, who was always in a different interest from the two Talbots ; the one of these being the titular archbishop of Dublin, and the other afterwards came to be duke of Tirconnell. These were meddling and factious men ; whereas Plunket was for their living quietly, and in due submission to the government, without engaging into intrigues of state. Some of these priests had been censured by him for their lewdness ; and they drew others to swear as they directed them. They had appeared the winter before upon a bill offered to the grand jury ; but as the foreman of the jury, who was a zealous protestant, told me, they contradicted one another so evidently, that they would not find the bill. But now they laid their story better together ; and swore against Plunket, that he had got a great bank of money to be prepared, and that he had an army listed, and was in a correspondence with France to bring over a fleet from thence. He had nothing to say in his own defence, but to deny all : so he was condemned, and suffered very decently, expressing himself in many particulars as became a bishop. He died denying every thing that had been sworn against him \*.

Fitzharris was tried next : and the proof was so full that he was cast. He moved in court that I might be ordered to come to him, upon what reason I could never imagine. A rule was made that I might speak to him in the presence of the lieutenant of the Tower. I went to him, and pressed him vehemently to tell the truth, and not to deceive himself with false hopes. I charged him with the improbabilities of his discovery ; and laid home to him the sin of perjury, chiefly in matters of blood, so fully, that the lieutenant of the Tower made a very just report of it to the king, as the king himself told me afterwards. When he saw there was no hope, he said the lord Howard was the author of the libel. Howard was so ill thought of, that, it being known that there was a familiarity between Fitzharris and him, it was apprehended from the beginning that he was concerned in it. I had seen him in lord Howard's company, and had told him how indecent it was to have such a man about him : he said he was in want, and was as honest as his religion would suffer him to be. I found out afterwards, that he was a spy of the lady Portsmouth's ; and that he had carried lord Howard to her : and, as lord Howard himself told me, she brought the king to talk with him twice or thrice. The king, as he said, entered into a particular scheme with him of the new frame of his ministry in case of an agreement, which seemed to him to be very near. As soon as I saw the libel, I was satisfied that lord Howard was not concerned in it : it was so ill drawn, and so little disguised in the treasonable part, that none but a man of the lowest form could be capable of making it. The report of lord Howard's being charged with this was over the whole town a day before any warrant was sent out against him ; which made it appear, that the court had a mind to give him time to go out of the way. He came to me, and solemnly vowed he was not at all concerned in that matter : so I advised him not to stir from home. He was committed that night : I had no liking to the man's temper ; yet he insinuated himself so into me, that without being rude to him it was not possible to avoid him. He was a man of a pleasant conversation ; but he railed so indecently both at the king and the clergy, that I was very uneasy in his company : yet now, during his imprisonment, I did him all the service I could. But Algernon Sidney took his concerns and his family so to heart, and managed every thing relating to him with that zeal, and that care, that none but a monster of ingratitude could have made him the return that he did afterwards. When the bill against lord Howard was brought to the grand jury, Fitzharris's wife and maid were the two witnesses against him ; but they did so evidently forswear themselves, that the attorney-general withdrew it. Lord Howard lay in the Tower till the Michaelmas term, and came out by the Habeas Corpus. I went no more to Fitzharris ; but Hawkins, the minister of the Tower, took him into his management, and prevailed with him not only

\* Dr. Oliver Plunket is styled even by Anthony Wood "a most venerable and religious" man. Whoever reads his trial will thence conclude that he was not guilty of

the crimes with which the witnesses, his personal enemies, charged him. He was executed on the 1st of July, 1681 —State Trials, iii. ; Wood's Athens, i. 220.



to deny all his former discovery, but to lay it on Clayton, Treby, and the sheriffs, as a subornation of theirs, though it was evident that was impossible to be true. Yet at the same time he wrote letters to his wife, who was not then admitted to him, which I saw and read, in which he told her, how he was practised upon with the hopes of life. He charged her to swear falsely against none: one of these was written that very morning in which he suffered \*; and yet before he was led out he signed a new paper containing the former charge of subornation, and put it in Hawkins's hands. And at Tyburn he referred all he had to say to that paper, which was immediately published; but the falsehood of it was so very notorious, that it shewed what a sort of man Hawkins was: yet he was soon after rewarded for this with the deanery of Chichester. But when the court heard what letters Fitzharris had written to his wife they were confounded; and all further discourse about him was stifled. But the court practised on her by the promise of a pension so far, that she delivered up her husband's letters to them. But so many had seen them before that, that this base practice turned much to the reproach of all their proceedings.

Soon after this Dugdale, Turbervill, Smith, and the Irish witnesses came under another management; and they discovered a plot laid against the king to be executed at Oxford. The king was to be killed, and the government was to be changed. One Colledge, a joiner by trade, was an active and hot man, and came to be known by the name of *the Protestant Joiner*. He was first seized on; and the witnesses swore many treasonable speeches against him: he was believed to have spoken oft with great indecency of the king, and with a sort of threatening, that they would make him pass the bill of exclusion. But a design to seize on the king was so notorious a falsehood, that notwithstanding all that the witnesses swore, the grand jury returned *ignoramus* upon the bill. Upon this the court cried out against the juries now returned, that they would not do the king justice, though the matter of the bill was sworn by witnesses whose testimony was well believed a few months before: it was commonly said, these juries would believe every thing one way, and nothing the other. If they had found the bill, so that Colledge had been tried upon it, he would have been certainly saved; but since the witnesses swore that he went to Oxford on that design, he was triable there. North went to Oxford, Colledge being carried thither; and he tried him there. North's behaviour in that whole matter was such, that probably, if he had lived to see an impeaching parliament, he might have felt the ill effects of it. The witnesses swore several treasonable words against Colledge, and that his coming to Oxford was in order to the executing these: so here was an overt-act. Colledge was upon a negative: so he had nothing to say for himself, but to shew how little credit was due to the witnesses. He was condemned, and suffered with great constancy, and with appearances of devotion. He denied all the treasonable matter that had been sworn against him, or that he knew of any plot against the king. He confessed, that a great heat of temper had carried him to many undutiful expressions of the king, but he protested he was in no design against him †. And now the court intended to set the witnesses to swear against all the hot party; which was plainly murder in them, who believed them false witnesses, and yet made use of them to destroy others. One passage happened at Colledge's trial, which quite sunk Dugdale's credit: it was objected to him by Colledge, to take away his credit, that, when by his lewdness he had got the French pox, he to cover that gave it out that he was poisoned by papists: upon which he, being then in court, protested solemnly that he never had that disease; and said, that if it could be proved by any physician that he ever had it, he was content that all the evidence he had ever given should be discredited for ever. And he was taken at his word;

\* All the proceedings against Fitzharris may be seen in the third volume of the State Trials.

† The firm, judicious, and able manner in which Stephen Colledge defended himself is sufficient proof, in the absence of any other, that he was a man of a very superior understanding. His superiority as a workman obtained him employment among the higher class of society, and his cultivated mind, united to becoming manners, obtained him even admission to their families as a friend. Dr. Swift

speaks of him as "a noble person," to whom he was introduced by Lady Berkley.—(Swift's Letters, iv. 336.) His trial is well worthy of a perusal. It exhibits the degrading banter that was exchanged between witnesses and counsel, and the brutal conduct of the latter and of the judges towards the accused.—(State Trials, iii.) A daughter of Colledge was sempstress to king William, an office worth about 300*l.* a year. Her father was executed on the last day of August, 1681.—Grainger's Biog. Hist.

for Lower, who was then the most celebrated physician in London, proved at the council-board that he had been under cure in his hands for that disease; which was made out both by his bills, and by the apothecary that served them. So he was never more heard of.

The earl of Shaftesbury was committed next, and sent to the Tower upon the evidence of the Irish witnesses. His papers were at the same time seized on and searched: nothing material was found among them, but a draught of an association, by which the king, if it had taken place, would have reigned only at the discretion of the party. This was neither written, nor marked in any place with his hand: but, when there was a talk of an association, some had formed this paper, and brought it to him; of which he always professed, after the matter was over, that he remembered nothing at all. So, it is probable, that, as is ordinary when any great business is before the parliament, that zealous men are at the doors with their several draughts; this was one of these cast carelessly by, and not thought on by him when he had sent his more valuable papers out of the way. There was likewise but one witness that could swear to its being found there; and that was the clerk of the council, who had perused those papers without marking them in the presence of any witness, as taken among lord Shaftesbury's papers.

There was all this summer strange practising with witnesses to find more matter against him: Wilkinson, a prisoner for debt that had been often with him, was dealt with to accuse him. The court had found out two solicitors to manage such matters, Burton and Graham, who were indeed fitter men to have served in a court of inquisition than in a legal government. It was known, that lord Shaftesbury was apt to talk very freely, and without discretion: so the two solicitors sought out all that had frequented his company; and tried what they could draw from them, not by a barefaced subornation, but by telling them, they knew well that lord Shaftesbury had talked such and such things, which they named, that were plainly treasonable; and they required them to attest it if they did ever hear such things from him: and they made them great promises upon their telling the truth: so that they gave hints and made promises to such as by swearing boldly would deserve them, and yet kept themselves out of danger of subornation, having witnesses in some corner of their chambers that overheard all their discourse. This was their common practice, of which I had a particular account from some whom they examined with relation to myself. In all this foul dealing the king himself was believed to be the chief director: and lord Halifax was thought deep in it, though he always expressed an abhorrence of such practices to me\*.

His resentments wrought so violently on him, that he seemed to be gone off from all his former notions. He pressed me vehemently to accept of preferment at court; and said, if I would give him leave to make promises in my name, he could obtain for me any preferment I pleased. But I would enter into no engagements. I was contented with the condition I was in, which was above necessity, though below envy: the mastership of the Temple was likely to fall, and I liked that better than any thing else. So both lord Halifax and lord Clarendon moved the king in it. He promised I should have it. Upon which lord Halifax carried me to the king. I had reason to believe, that he was highly displeased with me for what I had done a year before. Mrs. Roberts, whom he had kept for some time, sent for me when she was dying: I saw her often for some weeks, and among other things I desired her to write a letter to the king, expressing the sense she had of her past life: and at her desire I drew such a letter, as might be fit for her to write: but she never had strength enough to write it. So upon that I resolved to write a very plain letter to the king: I set before him his past life, and the effects it had on the nation, with the judgments of God that lay on him, which was but a small part of the punishment that he might look for; I pressed

\* These attempts to suborn evidence against the earl of Shaftesbury were detestable and disgraceful; the cause of the hatred and indignation of the court party that gave birth to them, is easily traceable. So violent was he in opposing the succession of the duke of York to the throne, that with the lords Huntington Grey of Werk, Russel, Cavendish, and Brandon, sir Edward Hungerford, sir Henry Calverly, sir William Cowper, sir Gilbert Ger-

rard, sir Scroop Howe, Thomas Thynne, Thomas Forester, John Trenchard, and Thomas Wharton, esquires, he went into Westminster Hall, and to the Middlesex grand jury publicly presented the duke of York as worthy of indictment as a recusant. The immediate effect of this daring act was not so great as was anticipated; for while the jury were deliberating on the presentment, the court very judiciously summoned and dismissed them.—Ralph's History.

him upon that earnestly to change the whole course of his life : I carried this letter to Chiffinch's on the twenty-ninth of January ; and told the king in the letter, that I hoped the reflections on what had befallen his father on the thirtieth of January, might move him to consider these things more carefully. Lord Arran happened to be then in waiting : and he came to me next day, and told me, he was sure the king had a long letter from me ; for he held the candle to him while he read it : he knew at all that distance that it was my hand. The king read it twice over, and then threw it into the fire : and not long after lord Arran took occasion to name me : and the king spoke of me with great sharpness : so he perceived that he was not pleased with my letter \* : nor was the king pleased with my being sent for

\* This letter was as follows :

" 29th January, 1679.80.

" May it please your Majesty,

" I have not presumed to trouble your majesty for some months, not having any thing worthy your time to offer ; and now I choose rather this way, since the infinite duty I owe you puts me under restraints in discourse, which I cannot so easily overcome. What I shall now suggest to your majesty, I do it as in the presence of Almighty God, to whom I know I must give an account of all my actions ; I therefore beg you will be graciously pleased to accept this most faithful zeal of your poor subject, who has no other design in it, than your good, and the discharge of his own conscience.

" I must then first assure your majesty, I never discovered any thing like a design of raising rebellion, among all those with whom I converse : but I shall add, on the other hand, that most people grow sullen, and are highly dissatisfied with you, and distrustful of you. Formerly your ministers, or his royal highness, bore the blame of things that were ungrateful ; but now it falls upon yourself ; and time, which cures most other distempers, increases this. Your last speech makes many think, it will be easy to fetch up petitions from all parts of England : this is now under consultation, and is not yet determined ; but I find so many inclined to promote them, that as far as I can judge, it will go that way. If your majesty calls a new parliament, it is believed, that those who have promoted the petitions will be generally elected ; for the inferior sort of people are much set upon them, and make their judgment of men, from their behaviour in that matter. The soberer sort of those, who are ill pleased at your conduct, reckon that either the state of your affairs beyond sea, or of your exchequer at home, will ere long necessitate your meeting your parliament ; and that then things must be rectified : and therefore they use their utmost endeavours to keep all quiet. If your majesty has a session in April, for supporting your allies, I find it is resolved by many, that the money necessary to maintain your alliances, shall be put into the hands of the commissioners, to issue it as they shall answer to the two houses : and these will be so chosen, that as it is likely that the persons will be very unacceptable to you, so they, being trusted with the money, will be as a council of state, to controul all your councils. And as to your exchequer, I do not find any inclination to consider your necessity, unless many things be done to put them into another disposition, than I can observe in them. The things that will be demanded, will not be of so easy a digestion, as that I can imagine you will ever be brought to them, or indeed that it will be reasonable or honourable for you to grant them. So that, in this disorder of affairs, it is easy to propose difficulties, but not so easy to find out that which may remove them.

" There is one thing, and indeed the only thing, in which all honest men agree, as that which can easily extricate you out of all your troubles ; it is not the change of a minister, or of a council, a new alliance, or a session of parliament, but it is (and suffer me, Sir, to speak it with

a more than ordinary earnestness) a change in your own heart, and in your course of life. And now, Sir, if you do not with indignation throw this paper from you, permit me (with all the humility of a subject prostrate at your feet) to tell you, that all the distrust your people have of you, all the necessities you now are under, all the indignation of Heaven, that is upon you, and appears in the defeating all your councils, flow from this, that you have not feared nor served God, but have given yourself up to so many sinful pleasures. Your majesty may perhaps justly think, that many of those that oppose you have no regard for religion, but the body of your people consider it more than you can imagine. I do not desire your majesty to put on a hypocritical shew of religion, as Henry the Third of France did, hoping thereby to have weathered the storms of those times. No ! that would be soon seen through, and as it would provoke God more, so it would increase jealousies. No ! Sir, it must be real, and the evidences of it signal : all those about you who are the occasions of sin, chiefly the women, must be removed, and your court be reformed. Sir, if you will turn you to religion sincerely and seriously, you shall quickly find a serene joy of another nature possess your mind, than what arises from gross pleasures ; God would be at peace with you, and direct and bless all your counsels ; all good men would presently turn to you, and ill men would be ashamed, and have a thin party. For I speak it knowingly, there is nothing has so alienated the body of your people from you, as what they have heard of your life, which disposes them to give an easy belief to all other scandalous reports.

" Sir, this counsel is now almost as necessary for your affairs as it is for your soul ; and though you have highly offended that God, who has been infinitely merciful to you, in preserving you at Worcester fight, and during your long exile, and who brought you back so miraculously, yet he is still good and gracious ; and will, upon your sincere repentance, and change of life, pardon all your sins and receive you into his favour : oh, Sir, what if you should die in the midst of all your sins ? at the great tribunal, where you must appear, there will be no regard to the crown you now wear ; but it will aggravate your punishment, that being in so eminent a station, you have so much dishonoured God. Sir, I hope you believe there is a God, and a life to come, and that sin shall not pass unpunished. If your majesty will reflect upon your having now been twenty years upon the throne, and in all that time how little you have glorified God, how much you have provoked him, and that your ill example has drawn so many after you to sin, that men are not now ashamed of their vices, you cannot but think, that God is offended with you : and if you consider how ill your councils at home, and your wars abroad have succeeded, and how much you have lost the hearts of your people, you may reasonably conclude, this is of God, who will not turn away his anger from you, till you turn to him with your whole heart.

" I am no enthusiast, either in opinion or temper ; yet I acknowledge I have been so pressed in my mind to make this address to you, that I could have no ease till I did it :



by Wilmot, earl of Rochester, when he died. He fancied that he had told me many things, of which I might make an ill use : yet he had read the book that I wrote concerning him, and spoke well of it. In this state I was in the king's thoughts, when lord Halifax carried me to him, and introduced me with a very extraordinary compliment, that he did not bring me to the king to put me in his good opinion, so much as to put the king in my good opinion : and added, he hoped that the king would not only take me into his favour, but into his heart. The king had a peculiar faculty of saying obliging things with a very good grace : among other things he said, he knew that, if I pleased, I could serve him very considerably ; and that he desired no service from me longer than he continued true to the church, and to the law. Lord Halifax upon that added, that the king knew he served him on the same terms, and was to make his stops. The king and he fell into some discourse about religion. Lord Halifax said to the king, that he was the head of the church : to which the king answered, that he did not desire to be the head of nothing ; for indeed he was of no church. From that the king run out into much discourse about lord Shaftesbury, who was shortly to be tried : he complained with great scorn of the imputation of subornation that was cast on himself. He said, he did not wonder that the earl of Shaftesbury, who was so guilty of those practices, should fasten them on others. The discourse lasted half an hour very hearty and free : so I was in favour again ; but I could not hold it. I was told I kept ill company : the persons lord Halifax named to me were the earl of Essex, lord Russel, and Jones. But I said, I would upon no consideration give over conversing with my friends : so I was where I was before.

A bill of indictment was presented to the grand jury against lord Shaftesbury. The jury was composed of many of the chief citizens of London. The witnesses were examined in open court, contrary to the usual custom : the witnesses swore many incredible things against him, mixed with other things that looked very like his extravagant way of talking. The draught of the association was also brought as a proof of his treason, though it was not laid in the indictment, and was proved only by one witness. The jury returned *ignoramus* upon the bill. Upon this the court did declaim with open mouth against these juries ; in which they said the spirit of the party did appear, since men, even upon oath, shewed they were resolved to find bills true or *ignoramus*, as they pleased, without regarding the evidence. And upon this a new set of addresses went round the kingdom, in which they expressed their abhorrence of that association found in lord Shaftesbury's cabinet ; and complained, that justice was denied the king ; which were set off with all the fulsome rhetoric that the penners could varnish them with. It was upon this occasion said, that the grand jury ought to find bills even upon dubious evidence, much more when plain treason was sworn, since all they did in finding a bill was only to bring the person to his trial, and then the falsehood of the witnesses was to be detected. But in defence of these *ignoramus* juries it was said, that by the express words of their oath they were bound to make true presentments of what should appear true to them : and therefore, if they did not believe the evidence, they could not find a bill, though sworn to. A book was written to support that, in which both law and reason were brought to confirm it : it passed as written by lord Essex, though I understood afterwards it was written by Somers, who was much esteemed and often visited by lord Essex, and who trusted himself to him, and wrote the best papers that came out in that

and since you were pleased to direct me to send you, through Mr. Chiffinch's hands, such informations as I thought fit to convey to you, I hope your majesty will not be offended, if I have made this use of that liberty. I am sure I can have no other design in it, but your good ; for I know very well, this is not the method to serve any ends of my own. I therefore throw myself at your feet, and once more, in the name of God, whose servant I am, do most humbly beseech your majesty, to consider of what I have written, and not to despise it for the meanness of the person who has sent it, but to apply yourself to religion in earnest ; and I dare assure you of many blessings both temporal and spiritual in this life, and of eternal glory in the life to come : but if you will go on in your sins,

the judgments of God will probably pursue you in this life, so that you may be a proverb to after-ages ; and after this life, you will be for ever miserable ; and I, your poor subject that now am, shall be a witness against you in the great day, that I gave you this free and faithful warning.

"Sir, no person alive knows, that I have written to you to this purpose ; and I chose this evening, hoping that your exercise to-morrow may put you into a disposition to weigh it more carefully. I hope your majesty will not be offended with this sincere expression of my duty to you ; for I durst not have ventured on it, if I had not thought myself bound to it, both by the duty I owe to God, and that which will ever oblige me to be,

"May it please your majesty, &c."

time. It is true, by the practice that had generally prevailed, grand juries were easy in finding bills upon a slight and probable evidence. But it was made out, that the words of their oath, and the reason of the law seemed to oblige them to make no presentments but such as they believed to be true. On the other hand a private ill opinion of a witness, or the looking on a matter as incredible, did not seem to warrant the return of an *ignoramus*: that seemed to belong to the jury on life and death\*. The chief complaint that was made in the addresses was grounded on their not finding the bill on the account of the draught of the association; and this was in many respects very unreasonable. For as that was not laid in the bill, so there was but one witness to prove it; nor did the matter of the paper rise up to the charge of high treason. And now Dugdale and Turbervill, who had been the witnesses upon whose evidence lord Stafford was condemned, being within a year detected, or at least suspected of this villany, I could not but reflect on what he said to me, that he was confident I should see within a year that the witnesses would be found to be rogues.

\* Mr. Walpole says, that the work alluded to by Burnet, probably was a pamphlet attributed to Somers, entitled "The Security of Englishmen's Lives: or the trust, power, and duty of the grand juries of England, explained according to the fundamentals of the English government, &c."—(Walpole's Catalogue of Royal and Noble Authors.) This pamphlet was first printed in the year 1681; and a second edition, with Somers' name prefixed, was published in 1766. Its spirit will appear from a very few extracts.—

"Our ancestors have been famous in their generations for wisdom, piety, and courage, in forming and preserving a body of laws to secure themselves and their posterities from slavery and oppression, and to maintain their native freedoms: to be subject only to the laws made by their own consent in their general assemblies, and to be put in execution chiefly by themselves, their officers, and assistants; to be guarded and defended from all violence and force by their own arms, kept in their own hands, and used at their own charge under their prince's conduct; intrusting nevertheless an ample power to their kings and other magistrates, that they may do all the good, and enjoy all the happiness, that the largest soul of man can honestly wish; and carefully providing such means of correcting and punishing their ministers and counsellors, if they transgress the laws, that they might not dare to abuse or oppress the people, or design against their freedom or welfare."

Imitating the example set by their ancestors, the pamphlet warns its contemporaries that "it now falls to our lot to preserve their liberties against the dark contrivances of a popish faction, who would by frauds, sham-plots, and infamous perjuries, deprive us of our birth-rights, and turn the points of our swords (the laws) into our own bowels, with designs to overturn the monarchy, because they would have excluded a popish successor, and provided for the security of the religion and lives of all protestants."

"Our law-makers foresaw both their dangers from malice and passion, that might cause some of private condition to accuse others falsely in the courts of justice, and the great hazards of worthy and eminent men's lives, from the malice, emulation, and ill designs of corrupt ministers of state, or otherwise potent persons, who might commit the most odious of murders in the form and course of justice, either by corrupting of judges, as dependent upon them for their honour and great revenue, or by bribing and hiring men of depraved principles, and desperate fortunes, to swear falsely against them. Therefore for securing equal and impartial justice, it is made a fundamental in our government, that, unless it be by parliament, no man's life shall be touched for any crime whatsoever, save by the judgment of at least twenty-four men; that is, twelve, or more, to find the bill of indictment, whether he be peer of

the realm, or commoner; and twelve peers, or above, if a lord; if not, twelve commoners, to give the judgment upon the general issue joined."

It then proceeds to remark upon the importance that has always been afforded to the institution of the grand inquest or jury, and the care that has been taken to insure them being as free as possible from any unworthy influence—"I know too well," it continues, "that the wisdom and care of our ancestors in this institution of grand juries, hath not been of late considered as it ought; nor the laws concerning them duly observed; nor have the gentlemen and other men of estates in the several counties, discerned how insensibly their legal power and jurisdiction in their grand and petit juries is decayed, and much of the means to preserve their own lives and interests, taken out of their hands. It is a wonder that they were not more awakened with the attempt of the late lord chief justice Keyling, who would have usurped a lordly, dictatorial power over the grand jury of Somersetshire, and commanded them to find a bill of indictment for murder, for which they saw no evidence; and upon their refusal, he not only threatened the jury, but assumed to himself an arbitrary power to fine them." "But upon the complaint of one sir Hugh Windham, foreman of the said jury, and a member of the long parliament, the commons brought the then chief justice to their bar, to acknowledge his fault."

It had been maintained in several party works\* that the grand jury have only to determine whether there is a probability of guilt in the prisoner, and that he ought to be tried: and that far less evidence will warrant a grand jury's indictment than a petit jury's verdict. Against this doctrine Somers strenuously and convincingly argues, and from the whole concludes that "if there ought to be any difference in the proceedings of the grand and petit juries, the greater exactness and diligence seems to be required in the former: for as the same work of finding out the truth, in order to the doing of justice, is allotted unto both, the greatest part of the burthen ought to lie upon them that have the best opportunities of performing it. The invalidity, weakness, or defects of the proofs may be equally evident to either of them; but if there be deceit in stifling true testimonies, or malice in suborning wicked persons to bring in such as are false, the grand jury may most easily, nay probably only can discover it: they are not straightened in time; they may freely examine in private, without interruption from the counsel or court, such witnesses as are presented unto them, or they shall think fit to call: they may jointly or severally inquire of their friends or acquaintance after the lives and reputations of the witnesses, or the accused persons, and all circumstances relating unto the matter in question, and consult together under the seal of secrecy."

\* The Grand Juryman's Oath and Office, &c.

As to Turbervill, what happened soon after this will perhaps mitigate the censure. He was taken with the small-pox in a few days after lord Shaftesbury's trial. The symptoms were so bad that the physician told him he had no hope of his recovery; upon which he composed himself to die as became a Christian, and sent for Mr. Hewes, the curate of St. Martin's, who was a very worthy man, and from whom I had this account of him. Turbervill looked on himself as a dead man at the first time he came to him; but his disease did no way affect his understanding or his memory. He seemed to have a real sense of another state, and of the account that he was to give to God for his past life. Hewes charged him to examine himself, and, if he had sworn falsely against any man, to confess his sin and glorify God, though to his own shame. Turbervill, both in discourse and when he received the sacrament, protested that he had sworn nothing but the truth, in what he deposed both against lord Stafford and the earl of Shaftesbury; and renounced the mercies of God, and the benefit of the death of Christ, if he did not speak the plain and naked truth without any reservation: and he continued in the same mind to his death. So here were the last words of dying men, against the last words of those that suffered. To this may well be added, that one who died of sickness, and under a great depression in his spirits, was less able to stifle his conscience, and resist the impressions that it might then make on him, than a man who suffers on a scaffold, where the strength of the natural spirits is entire, or rather exalted by the sense of the cause he suffers for. And we know that confession and absolution in the church of Rome give a quiet, to which we do not pretend, where these things are said to be only ministerial, and not authoritative. About a year before this Tonge had died, who first brought out Oates. They quarrelled afterwards, and Tonge came to have a very bad opinion of Oates, upon what reason I know not. He died with expressions of a very high devotion; and he protested to all who came to see him, that he knew of no subornation in all that matter, and that he was guilty of none himself. These things put a man quite in the dark, and in this mist matters must be left till the great revelation of all secrets. And there I leave it, and from the affairs of England turn to give an account of what passed in Scotland during this disorder among us here.

The duke behaved himself upon his first going to Scotland in so obliging a manner, that the nobility and gentry, who had been so long trodden on by duke Lauderdale and his party, found a very sensible change; so that he gained much on them all. He continued still to support that side; yet things were so gently carried that there was no cause of complaint. It was visibly his interest to make that nation sure to him, and to give them such an essay of his government, as might dissipate all the hard thoughts of him with which the world was possessed; and he pursued this for some time with great temper, and as great success. He advised the bishops to proceed moderately, and to take no notice of conventicles in houses, and that would put an end to those in the fields. In matters of justice he showed an impartial temper, and encouraged all propositions relating to trade; and so, considering how much that nation was set against his religion, he made a greater progress in gaining upon them than was expected. He was advised to hold a parliament there in the summer eighty-one, and to take the character of the king's commissioner upon himself.

A strange spirit of fury had broken loose on some of the presbyterians, called Cargillites, from one Cargill, who had been one of the ministers of Glasgow in the former times, and was then very little considered, but now was much followed, to the great reproach of the nation. These held that the king had lost the right of the crown by his breaking the covenant which he had sworn at his coronation: so they said he was their king no more; and by a formal declaration they renounced all allegiance to him, which a party of them affixed to the cross of Dumfries, a town near the west border. The guards fell upon a party of them, whom they found in arms, where Cameron, one of their furious teachers (from whom they were also called Cameronians), was killed; but Hackston, that was one of the archbishop's murderers, and Cargill were taken. Hackston, when brought before the council, would not own their authority, nor make any answer to their questions. He was so low, by reason of his wounds, that it was thought he would die in the question if tortured; so he was in a very summary way condemned to have both his hands cut off, and then to be hanged. All this he suffered with a constancy that amazed all people; he seemed to be all the while as in an enthusias-



tical rapture, and insensible of what was done to him. When his hands were cut off, he asked, like one unconcerned, if his feet were to be cut off likewise. And he had so strong a heart, that notwithstanding all the loss of blood by his wounds, and the cutting off his hands, yet when he was hanged up, and his heart cut out, it continued to palpitate some time after it was on the hangman's knife, as some eye-witnesses assured me. Cargill and many others of that mad sect, both men and women, suffered with an obstinacy that was so particular, that though the duke sent the offer of pardon to them on the scaffold, if they would only say, "God bless the King," it was refused with great neglect. One of them, a woman, said, very calmly, "she was sure God would not bless him, and that, therefore, she would not take God's name in vain." Another said more sullenly, that she would not worship that idol, nor acknowledge any other king but Christ. And so both were hanged. About fifteen or sixteen died under this delusion, which seemed to be a sort of madness, for they never attempted anything against any person, only they seemed glad to suffer for their opinions. The duke stopped that prosecution, and appointed them to be put in a house of correction, and to be kept at hard labour. Great use was made of this by profane people to disparage the suffering of the martyrs for the Christian faith, from the unshaken constancy which these frantic people expressed. But this is undeniable, that men who die maintaining any opinion, show that they are firmly persuaded of it; so from this the martyrs of the first age, who died for asserting a matter of fact, such as the resurrection of Christ, or the miracles that they had seen, showed that they were well persuaded of the truth of those facts. And that is all the use that is to be made of this argument.

Now the time of the sitting of the parliament drew on. The duke seeing how great a man the earl of Argyle was in Scotland, concluded it was necessary for him either to gain him, or to ruin him. Lord Argyle gave him all possible assurances that he would adhere to his interest in every thing, except in the matters of religion; but added, that if he went to meddle with these, he owned to him freely that he would oppose him all he could. This was well enough taken in show; but lord Argyle said, he observed ever after that such a visible coldness and distrust, that he saw what he might expect from him. Some moved the excepting against the duke's commission to represent the king in parliament, since by law no man could execute any office without taking the oaths; and above forty members of parliament promised to stick to duke Hamilton, if he would insist on that. But Lockhart and Cunningham, the two lawyers on whose opinion they depended chiefly, said that a commission to represent the king's person fell not under the notion of an office: and since it was not expressly named in the acts of parliament, they thought it did not fall within the general words of "all places and offices of trust." So this was laid aside; and many who were offended at it complained of duke Hamilton's cowardice. He said for himself, he had been in a storm for seven years' continuance by his opposing duke Lauderdale, and that he would not engage in a new one with a stronger party, unless he was sure of the majority; and they were far from pretending to be able to bring matters to near an equality. The first act that passed was one of three lines, confirming all the laws formerly made against popery; the duke thought it would give a good grace to all that should be done afterwards, to begin with such a general and cold confirmation of all former laws. Some moved that a committee might be appointed to examine all the former laws (since some of them seemed unreasonably severe, as passed in the first heat of the Reformation), that so they might draw out of them all such as might be fit not only to be confirmed, but to be executed by better and more proper methods than those prescribed in the former statutes, which had been all eluded. But it was not intended that this new confirmation should have any effect; and therefore this motion was not harkened to. But the act was hurried on and passed.

The next act was for the unalterableness of the succession of the crown. It was declared high treason ever to move for any alterations in it. Lord Argyle ran into this with zeal, so did duke Hamilton; and all others that intended to merit by it made harangues about it. Lord Tweeddale was the only man that ventured to move, that the act might be made as strict as was possible with relation to the duke; but he thought it not necessary to carry it further; since the queen of Spain stood so near the succession, and it was no amiable thing to be a province to Spain. Many were so ignorant as not to understand the relation of the

queen of Spain to the king, though she was his niece, and thought it an extravagant motion. He was not seconded, and the act passed without one contradictory vote. There was an additional revenue given for some years for keeping up more troops. Some complaints were also made of the lords of regalities, who have all the forfeitures and the power of life and death within their regalities. It was upon that promised that there should be a regulation of these courts, as there was indeed great cause for it, these lords being so many tyrants up and down the country ; so it was intended to subject these jurisdictions to the supreme judicatories. But the act was penned in such words as imported that the whole course of justice all over the kingdom was made subject to the king's will and pleasure ; so that instead of appeals to the supreme courts, all was made to end in a personal appeal to the king ; and by this means he was made master of the whole justice and property of the kingdom. There was not much time given to consider things, for the duke, finding that he was master of a clear majority, drove on everything fast, and put bills on a very short debate to the vote, which went always as he had a mind to have it. An accident happened that begot in many a particular zeal to merit at his hands. Lord Rothes, who had much of his confidence, and was chiefly trusted by him, and was made a duke by his means, died the day before the opening of the parliament ; so upon the hopes of succeeding him, as there were many pretenders, they tried who could deserve it best, by the most compliant submission and the most active zeal.

As they were going on in public business, one stood up in parliament and accused lord Halton, duke Lauderdale's brother, of perjury, on the account of Mitchell's business. He had in his hands the two letters that lord Halton had written to the earl of Kincardine, mentioning the promise of life that was made him ; and, as was told formerly, lord Halton swore at his trial that no promise was made. The lord Kincardine was dead a year before this ; but his lady had delivered those letters to be made use of against lord Halton. Upon reading them the matter appeared plain. The duke was not ill pleased to have both duke Lauderdale and him thus at mercy ; yet he would not suffer the matter to be determined in a parliamentary way ; so he moved, that the whole thing might be referred to the king, which was immediately agreed to. So that infamous business was made public, and yet stifled at the same time ; and no censure was ever put on that base action. Another discovery was made of as wicked a conspiracy, though it had not such bad effects, because the tools employed in it could not be wrought up to such a determined pitch of wickedness. The lord Bargeny, who was nephew to duke Hamilton, had been clapped up in prison, as concerned in the rebellion of Bothwell-bridge. Several days were fixed on for his trial, but it was always put off ; and at last he was let out without having any one thing ever objected to him. When he was at liberty he used all possible endeavours to find out on what grounds he had been committed. At last he discovered a conspiracy, in which Halton and some others of that party were concerned. They had practised on some, who had been in that rebellion, to swear that he and several others were engaged in it, and that they had sent them out to join in it. They promised these witnesses a large share of the confiscated estates, if they went through in the business. Depositions were prepared for them, and they promised to swear them. Upon which a day was fixed for their trial. But the hearts of those witnesses failed them, or their consciences rose upon them ; so that when the day came on they could not bring themselves to swear against an innocent man, and plainly refused to do it. Yet, upon new practices and new hopes, they again resolved to swear boldly ; upon which new days had been set twice or thrice ; and, their hearts turning against it, they were still put off. Lord Bargeny had full proofs of all this ready to be offered ; but the duke prevailed to have this likewise referred to the king ; and it was never more heard of. This showed what duke Lauderdale's party were capable of. It likewise gave an ill character of the duke's zeal for justice, and against false swearing ; though that had been the chief topic of discourse with him for above three years. He was angry at a supposed practice with witnesses, when it fell upon his own party ; but now that there were evident proofs of perjury and subornation, he stopped proceedings under pretence of referring it to the king : who was never made acquainted with it, or at least never enquired after the proof of these allegations, nor ordered any proceedings upon them.

The main business of this parliament was the act concerning the new test that was proposed. It had been promised in the beginning of the session, that as soon as an act for maintaining the succession should pass, they should have all the security that they could desire for the protestant religion. So many zealous men began to call for some more effectual security for their religion; upon which a test was proposed, for all that should be capable of any office in church or state, or of electing or being elected members of parliament, that they should adhere firmly to the protestant religion; to which the court party added, the condemning of all resistance in any sort, or under any pretence, the renouncing the covenant, and an obligation to defend all the king's rights and prerogatives; and that they should never meet to treat of any matter, civil or ecclesiastical, but by the king's permission; and never endeavour any alteration in the government, in church or state. And they were to swear all this according to the literal sense of the words. The test was thus loaded at first to make the other side grow weary of the motion and let it fall, which they would willingly have done. But the duke was made to apprehend that he would find such a test as this prove much for his service; so it seems that article of the protestant religion was forgiven, for the service that was expected from the other parts of the test. There was a hot debate upon the imposing it on all that might elect, or be elected, members of parliament. It was said that was the most essential of all the privileges of the subjects, therefore they ought not to be limited in it. The bishops were earnest for this, which they thought would secure them for ever from a presbyterian parliament. It was carried in the vote; and that made many of the court more zealous than ever for carrying through the act. Some proposed that there should be two tests: one for papists, with higher incapacities, and another for presbyterians, with milder censures. But that was rejected with much scorn, some making their court, by saying, they were more in danger from the presbyterians than from the papists. And it was reported that Paterson, then bishop of Edinburgh, said to the duke, that he thought the two religions, popish and protestant, were so equally stated in his mind, that a few grains of loyalty, in which the protestants had the better of the papists, turned the balance with him. Another clause in the bill was liable to great objections: all the royal family were excepted out of it. Lord Argyle spoke zealously against this; he said, the only danger we could apprehend as to popery was if any of the royal family should happen to be perverted; therefore he thought it was better to have no act at all than such a clause in it. Some few seconded him; but it was carried without any considerable opposition. The nicest point of all was, what definition, or standard, should be made for fixing the sense of so general a term as "the protestant religion." Dalrymple proposed the confession of faith agreed on in the year one thousand five hundred and fifty-nine, and enacted in parliament in one thousand five hundred and sixty-seven, which was the only confession of faith that had then the sanction of a law. That was a book so worn out of use, that scarcely any one in the whole parliament had ever read it; none of the bishops had, as appeared afterwards. For these last thirty years, the only confession of faith that was read in Scotland, was that which the assembly of divines at Westminster, Anno 1648, had set out, which the Scotch kirk had set up instead of the old one; and the bishops had left it in possession, though the authority that enacted it was annulled. So here a book was made the matter of an oath, (for they were to swear that they would adhere to the protestant religion, as it was declared in the confession of faith enacted in the year 1567, that contained a large system of religion that was not so much as known to those who enacted it :) yet the bishops went all into it. Dalrymple, who had read it, thought there were propositions in it which, being better considered, would make the test be let fall; for in it the repressing of tyranny is reckoned a duty incumbent on good subjects. And the confession being made after the Scots had deposed the queen regent, and it being ratified in parliament after they had forced their queen Mary to resign, it was very plain what they, who made and enacted this confession, meant by the repressing of tyranny. But the duke and his party set it on so earnestly, that upon one day's debate the act passed, though only by a majority of seven voices. There was some appearance of security to the protestant religion by this test; but the prerogative of the crown in ecclesiastical matters had been raised so high by duke Lauderdale's act, that the



obliging all people to maintain that with the rest of the prerogative, might have made way for everything. All ecclesiastical courts subsisted now by this test, only upon the king's permission, and at his discretion.

The parliament of Scotland was dissolved soon after this act passed; and Hyde was sent down from the king to the duke immediately upon it. It was given out that he was sent by the king to press the duke upon this victory to show, that what ill usage could not extort from him he would now do of his own accord, and return to the church of England. I was assured that lord Halifax had prevailed with the king to write to him to that purpose. The letter was written, but was not sent; but lord Hyde had it in charge to manage it as a message. How much of this is true I cannot tell; one thing is certain, that if it was true it had no effect.

As soon as the test with the confession of faith was printed, there was a universal murmuring among the best of the clergy. Many were against the swearing to a system made up of so many propositions, of which some were at least doubtful; though it was found to be much more moderate in many points than could have been well expected, considering the heat of that time. There was a limitation put on the duty of subjects in the article, by which they were required not to resist any whom God had placed in authority, in these words, "While they pass not the bounds of their office." And in another they condemned those who resist the supreme power, "Doing that thing which appertaineth to his charge." These were propositions now of a very ill sound. They were also highly offended at the great extent of the prerogative in the point of supremacy, by which the king turned bishops out at pleasure by a letter. It was hard enough to bear this; but it seemed intolerable to oblige men by oath to maintain it. The king might by a proclamation put down even episcopacy itself, as the law then stood; and by this oath they would be bound to maintain that. All meeting in synods, or for ordinations, were hereafter to be held only by permission; so that all the visible ways of preserving religion depended now wholly on the king's good pleasure; and they saw that this would be a very feeble tenure under a popish king. The being tied to all this by oath seemed very hard. And when a church was yet in so imperfect a state, without liturgy or discipline, it was a strange imposition to make people swear never to endeavour any alteration either in church or state. Some, or all, of these exceptions did run so generally through the whole body of the clergy, that they were all shaking in their resolutions. To prevent this, an explanation was drawn by bishop Paterson, and passed in council. It was by it declared, that it was not meant that those who took the test should be bound to every article in the confession of faith, but only in so far as it contained the doctrine upon which the protestant churches had settled the reformation; and that the test did not cut off those rights which were acknowledged to have been in the primitive church for the first three hundred years after Christ; and an assurance was given, that the king intended never to change the government of the church. By this it was pretended that the greatest difficulties were now removed. But to this it was answered that they were to swear they took the oath in the literal sense of the words. So that if this explanation was not conform to the literal sense, they would be perjured who took it upon this explanation. The imposers of an oath could only declare the sense of it; but that could not be done by any other, much less by a lower authority, such as the privy council was confessed to be. Yet when men are to be undone if they do not submit to a hard law, they willingly catch at anything that seems to resolve their doubts.

About eighty of the most learned and pious of their clergy left all rather than comply with the terms of this law; and these were noted to be the best preachers, and the most zealous enemies to popery, that belonged to that church. The bishops, who thought their refusing the test was a reproach to those who took it, treated them with much contempt, and put them to many hardships. About twenty of them came up to England. I found them men of excellent tempers, pious and learned, and I esteemed it no small happiness that I had then so much credit by the ill opinion they had of me at court, that by this means I got most of them to be well settled in England; where they have behaved themselves so worthily, that I have great reason to rejoice in being made an instrument to get so many good men, who suffered for their consciences, to be again well employed, and well provided for. Most of

them were formed by Charteris, who had been always a great enemy to the imposing of books and systems, as tests that must be signed and sworn, by such as are admitted to serve in the church. He had been for some years divinity professor at Edinburgh, where he had formed the minds of many of the young clergy both to an excellent temper and to a set of very good principles. He upon this retired, and lived private for some years. He wrote to me, and gave me an account of this breach that was likely to be in the church; and desired that I would try, by all the methods I could think of, to stop the proceedings upon the test. But the king had put the affairs of Scotland so entirely in the duke's hands, and the bishops here were so pleased with those clauses in the test that renounced the covenant, and all endeavours for any alteration in church and state, that I saw it was in vain to make any attempt at court.

Upon this matter an incident of great importance happened. The earl of Argyle was a privy councillor, and one of the commissioners of the treasury; so when the time limited was near lapsing he was forced to declare himself. He had once resolved to retire from all employments, but his engagements with duke Lauderdale's party, and the entanglements of his own affairs, overcame that. His main objection lay to that part which obliged them to endeavour no alteration in the government in church or state, which he thought was a limitation of the legislature. He desired leave to explain himself on that point; and he continued always to affirm, that the duke was satisfied with that which he proposed; so being called on the next day at the council table to take the test, he said he did not think that the parliament did intend an oath that should have any contradictions in one part of it to another; therefore he took the test, as it was consistent with itself; (this related to the absolute loyalty in the test, and the limitations that were on it in the confession:) and he added that he did not intend to bind himself up by it from doing anything in his station for the amending of anything in church or state, so far as was consistent with the protestant religion and the duty of a good subject; and he took that as a part of his oath. The thing passed, and he sat that day in council, and went next day to the treasury chamber, where he repeated the same words. Some officious people upon this came and suggested to the duke, that great advantage might be taken against him from these words. So at the treasury chamber he was desired to write them down and give them to the clerk, which he did, and was immediately made a prisoner in the castle of Edinburgh upon it. It was said this was high treason, and the assuming to himself the legislative power, in his giving a sense of an act of parliament, and making that a part of his oath. It was also said, that his saying that he did not think the parliament intended an oath that did contradict itself, was a tacit way of saying that he did think it, and was a defaming and a spreading lies of the proceedings of parliament, which was capital. The liberty that he reserved to himself was likewise called treasonable, in assuming a power to act against law. These were such apparent stretches, that for some days it was believed all this was done only to affright him to a more absolute submission, and to surrender up some of those great jurisdictions over the Highlands that were in his family\*. He desired he might be admitted to speak with the duke in private, but that was refused. He had let his old correspondence with me fall for some years; but I thought it became me in this extremity to serve him all I could. And I prevailed with lord Halifax to speak so oft to the king about it, that it came to be known; and lord Argyle wrote me some letters of thanks upon it. Duke Lauderdale was still in a firm friendship with him, and tried his whole strength with the king to preserve him; but he was sinking both in body and mind, and was likely to be cast off in his old age. Upon which I also prevailed with lord Halifax to offer him his service, for which duke Lauderdale sent me very kind messages. I thought these were the only returns that I ought to make him for all the injuries he had done me, thus to serve him and his friends in distress. But the duke of York took this, as he did everything from me, by the worst handle possible. He said I would reconcile myself to the greatest enemies I had in opposition to him. Upon this it was not thought fit upon many accounts that I should go and see duke Lauderdale, which I

\* These were greatly reduced by his attainder. In the 20th of Geo. II. (1747), the claims for Heritable Jurisdictions by the duke of Argyle were only 2,600*l*.—Roll of Claims, published in 1748.

had intended to do. It was well known I had done him acts of friendship ; so the scandal of being in enmity with him was over ; for a Christian is no man's enemy : and he will always study to overcome evil with good.

Lord Argyle was brought to a trial for the words he had spoken. The fact was certain ; so the debate lay on a point of law, what guilt could be made out of his words. Lockhart pleaded three hours for him, and showed so manifestly that his words had nothing criminal, much less of treason, in them, that, if his cause had not been determined before his trial, no harm could have come to him. The court that was to judge the point of law (or the relevancy of the libel, as it is called in Scotland,) consisted of a justice-general, the justice-clerk, and of five judges. The justice-general does not yote, unless the court is equally divided. One of the judges was deaf, and so old that he could not sit all the while the trial lasted, but went home and to bed. The other four were equally divided. so the old judge was sent for : and he turned it against lord Argyle. The jury was only to find the fact proved ; but they were officious, and found it treason ; and to make a show of impartiality, whereas in the libel he was charged with perjury for taking the oath falsely, they acquitted him of the perjury. No sentence in our age was more universally cried out on than this. All people spoke of it, and of the duke, who drove it on, with horror. All that was said to lessen that was, that duke Lauderdale had restored the family with such an extended jurisdiction, that he was really the master of all the Highlands ; so that it was fit to attain him, that by a new restoring him, these grants might be better limited. This, as the duke wrote to the king, was all he intended by it, as lord Halifax assured me. But lord Argyle was made believe that the duke intended to proceed to execution. Some more of the guards were ordered to come to Edinburgh. Rooms were also fitted for him in the common jail, to which peers used to be removed a few days before their execution. And a person of quality, whom lord Argyle never named, affirmed to him, on his honour, that he heard one, who was in great favour, say to the duke, the thing must be done, and that it would be easier to satisfy the king about it after it was done, than to obtain his leave for doing it. It is certain, many of the Scotch nobility did believe that it was intended he should die.

Upon these reasons lord Argyle made his escape out of the castle in a disguise. Others suspected those stories were sent to him on purpose to frighten him to make his escape ; as that which would justify further severities against him. He came to London, and lurked for some months there. It was thought I was in his secret. But though I knew one that knew it, and saw many papers that he then wrote, giving an account of all that matter, yet I abhorred lying ; and it was not easy to have kept out of the danger of that, if I had seen him, or known where he was ; so I avoided it by not seeing him. One that saw him knew him, and went and told the king of it ; but he would have no search made for him, and retained still very good thoughts of him. In one of lord Argyle's papers he wrote, that if ever he was admitted to speak with the king, he could convince him how much he merited at his hands, by that which had drawn the duke's indignation on him. He that showed me this explained it, that at the duke's first being in Scotland, when he apprehended that the king might have consented to the exclusion, he tried to engage lord Argyle to stick to him in that case ; who told him, he would always be true to the king, and likewise to him when it should come to his turn to be king ; but that he would go no further, nor engage himself, in case the king and he should quarrel.

I had lived many years in great friendship with the earl of Perth : I lived with him as a father with a son for above twelve years, and he had really the submission of a child to me. So, he having been on lord Argyle's jury, I wrote him a letter about it, with the freedom that I thought became me. He, to merit at the duke's hands, showed it to him, as he himself confessed to me. I could very easily forgive him, but could not esteem him much after so unworthy an action. He was then aspiring to great preferment, and so sacrificed me to obtain favour ; but he made greater sacrifices afterwards. The duke now seemed to triumph in Scotland. All stooped to him. The presbyterian party was much depressed. The best of the clergy were turned out. Yet, with all this, he was now more hated there than ever. Lord Argyle's business made him be looked on as one that would prove a terrible master when all should come into his hands. He had promised to redress all the merchants'



grievances with relation to trade, that so he might gain their concurrence in parliament; but as soon as that was over, all his promises were forgotten. The accusations of perjury were stifled by him. And all the complaints of the great abuse lord Halton was guilty of, in the matter of the coin, ended in turning him out of all his employments, and obliging him to compound for his pardon by paying 20,000*l.* to two of the duke's creatures; so that all the reparation the kingdom had for the oppression of so many years, and so many acts of injustice, was, that two new oppressors had a share of the spoils, who went into the same tract, or rather invented new methods of oppression. All these things, together with a load of age and of a vast bulk, sank duke Lauderdale so that he died that summer. His heart seemed quite spent; there was not left above the bigness of a walnut of firm substance: the rest was spongy, more like the lungs than the heart.

The duke had leave given him to come to the king at Newmarket; and there he prevailed for leave to come up and live again at court. As he was going back to bring the duchess, the Gloucester frigate that carried him struck on a bank of sand. The duke got into a boat, and took care of his dogs, and some unknown persons, who were taken, from that earnest care of his, to be his priests. The long-boat went off with very few in her, though she might have carried off above eighty more than she did. One hundred and fifty persons perished: some of them men of great quality. But the duke took no notice of this cruel neglect, which was laid chiefly to Leg's charge\*.

In Scotland the duke declared the new ministers. Gordon, now earl of Aberdeen, was made chancellor, and Queensbury was made treasurer; and the care of all affairs was committed to them. The duke at parting recommended to the council to preserve the public peace, to support the church, and to oblige all men to live regularly in obedience to the laws. The bishops made their court to him with so much zeal, that they wrote a letter to the archbishop of Canterbury, to be communicated to the rest of the English bishops, setting forth in a very high strain his affection to the church, and his care of it; and, lest this piece of merit should have been stifled by Sancroft, they sent a copy of it to the press; which was

\* When the duke proceeded from Margate to Leith in May 1682, he was nearly lost upon a sand in Yarmouth Roads. The Gloucester frigate, on which he was aboard, was wrecked, and about one hundred and ten persons perished: among them were the lords Perth, Middleton, Roxburgh, Hopton, and O'Brien, lieutenant Hyde, brother to the lord treasurer, and many other distinguished persons. The duke on this occasion certainly did not conduct himself with a becoming regard for human life. It does not appear to be demonstrated that he took his dogs into the boat to the exclusion of more valuable beings, as asserted by Burnet; but it is very certain that he was much too anxious to preserve his strong-box and the papers unwetted, when he might have been paying greater attention to the saving of the lives of his companions—companions “who, though ready to be swallowed up, gave a great huzza as soon as they saw his royal highness in safety.” In his first letter to lord Hyde, after the loss of his brother, there is much too little notice of the catastrophe, and too much obtruding of his own affairs.—(*Memoirs of James the Second*, by himself; *Memoirs of Sam. Pepys*, by lord Braybrooke, ii. 57—59; *Singer's Clarendon Correspond.* i. 67, &c.; *Dalrymple's Memoirs*, App. 68—71.) In a letter of the earl of Dartmouth, written in 1724, he thus defends his father's (Mr. Legg's) conduct on this occasion.—“My father was on board the Gloucester. After the ship had struck he several times pressed the duke to get into the boat, who refused to do so, saying, that if he were gone, nobody would take care of the ship, which he had hopes

might be saved if not abandoned. My father, finding she was ready to sink, told him if he stayed any longer they should be obliged to force him out; upon which the duke ordered a strong box to be lifted into the boat, which, besides being very weighty, took up much room and time. My father asked, with some warmth, if there was anything in it worth a man's life. The duke answered that there were things of so great consequence, both to the king and himself, that he would hazard his own rather than it should be lost. Before he went off he enquired for lords Roxburgh and O'Brien, but the confusion and hurry was so great they could not be found. When the duke and as many as she would hold with safety were in the boat, my father stood with his sword drawn to hinder the crowd from oversetting her; which is what I suppose the bishop (Burnet) esteemed a fault. But the king thanked him publicly for the care he had taken of the duke; and the duchess, who was not apt to favour him much upon other occasions, said upon this, she thought herself more obliged to him than to any man in the world, and should do so as long as she lived. I believe the bishop's reflection upon the duke for his care of the dogs to be ill-grounded; for I remember a story, in everybody's mouth at the time, of a struggle that happened for a plank between sir Charles Scarborough and the duke's dog, Mumper, which convinces me that the dogs were left to take care of themselves, as he did, if there were any more on board, which I never heard until the bishop's story book was published.” —*Sir John Dalrymple's Memoirs*, Appendix, p. 71.

\* Sir John Berry, in an official report of the narrative, observes, “The government of the ship being lost, and every one crying for help, yet amidst all this disorder and confusion, I could not but observe the great duty the poor seamen had for the preservation of his royal highness's person; when the barge was hoisting out, and lowered down into the water, not one man so much as proffered to run into her; but in the midst of all their affliction and diving condition did rejoice and thank God his royal highness was preserved.”—*Some Hist. Memoirs of the Duke of York in 1682*—*Singer's Clarendon Corr.* i. 71.

a greater reproach to them than a service to the duke, who could not but despise such abject and indecent flattery. The proceedings against conventicles were now likely to be severer than ever; all the fines, that were set so high by law that they were never before levied, but on some particular instances, were now ordered to be levied without exception. All people upon that saw they must either conform, or be quite undone. The chancellor laid down a method for proceeding against all offenders punctually; and the treasurer was as rigorous in ordering all the fines to be levied.

When the people saw this, they came all to church again: and that in some places where all sermons had been discontinued for many years. But they came in so awkward a manner that it was visible they did not mean to worship God, but only to stay some time within the church walls; and they were either talking, or sleeping, all the while. Yet most of the clergy seemed to be transported with this change of their condition, and sent up many panegyrics of the glorious services that the duke had done their church. The enemies of religion observed the ill nature of the one side, and the cowardliness of the other, and pleased themselves in censuring them both. And by this means an impious and atheistical leaven began to corrupt most of the younger sort. This has since that time made a great progress in that kingdom, which was before the freest from it of any nation in Christendom. The beginnings of it were reckoned from the duke's stay among them, and from his court, which have been cultivated since with much care and but too much success.

About the end of the year, two trials gave all people sad apprehensions of what they were to look for. One Home was charged by a kinsman of his own, for having been at Bothwell Bridge. All gentlemen of estates were excepted out of the indemnity; so he, having an estate, could have no benefit by that. One swore he saw him go into a village and seize on some arms; another swore he saw him ride towards the body of the rebels; but none did swear that they saw him there. He was indeed among them, but there was no proof of it. And he proved, that he was not in the company where the single witness swore he saw him seize on arms, and did evidently discredit him; yet he was convicted and condemned on that single evidence that was so manifestly proved to be infamous. Many were sensible of the mischievousness of such a precedent; and great applications were made to the duke for saving his life; but he was not born under a pardoning planet. Lord Aberdeen, the chancellor, prosecuted Home with the more rigour, because his own grandfather had suffered in the late times for bearing arms on the king's side, and Home's father was one of the jury that cast him. The day of his execution was set to be on the same day of the year on which lord Stafford had suffered; which was thought done in compliment to the duke, as a retaliation for his blood. Yet Home's infamous kinsman, who had so basely sworn against him, lived not to see his execution; for he died before it, full of horror for what he had done. Another trial went much deeper; and the consequences of it struck a terror into the whole country.

One Weir of Blakewood, that managed the marquis of Douglas's concerns, was accused of treason for having kept company with one that had been in the business of Bothwell Bridge. Blakewood pleaded for himself, that the person, on whose account he was now prosecuted as an abettor of traitors, had never been marked out by the government by process, or proclamation. It did not so much as appear that he had ever suspected him upon that account. He had lived in his own house quietly for some years after that rebellion, before he employed him: and if the government seemed to forget his crime, it was no wonder if others entered into common dealings with him. All the lawyers were of opinion, that nothing could be made of this prosecution: so that Blakewood made use of no secret application, thinking he was in no danger. But the court came to a strange sentence in this matter, by these steps: they judged, that all men who suspected any to have been in the rebellion, were bound to discover such their suspicion, and to give no harbour to such persons: that the bare suspicion made it treason to harbour the person suspected, whether he was guilty or not: that if any person was under such a suspicion, it was to be presumed that all the neighbourhood knew it: so that there was no need of proving that against any particular person, since the presumption of law did prove it: and it being proved that the person with whom Blakewood had conversed lay under that suspicion, Blakewood was upon

that condemned as guilty of high treason. This was such a constructive treason, that went upon so many unreasonable suppositions, that it shewed the shamelessness of a sort of man, who had been for forty years declaiming against a parliamentary attainder for a constructive treason in the case of the earl of Stafford, and did now in a common court of justice condemn a man upon a train of so many inferences, that it was not possible to make it look even like a constructive treason. The day of his execution was set; and though the marquis of Douglas wrote earnestly to the duke for his pardon, that was denied. He only obtained two months' reprieve for making up his accounts. The reprieve was renewed once or twice: so Blakewood was not executed. This put all the gentry in a great fright: many knew they were as obnoxious as Blakewood was: and none could have the comfort to know that he was safe. This revived among them a design, that Lockhart had set on foot ten years before, of carrying over a plantation to Carolina. All the presbyterian party saw they were now disinherited of a main part of their birthright, of choosing their representatives in parliament: and upon that they said, they would now seek a country where they might live undisturbed, as freemen, and as Christians. The duke encouraged the motion: he was glad to have many untoward people sent far away, who he reckoned would be ready upon the first favourable conjuncture, to break out into a new rebellion. Some gentlemen were sent up to treat with the patentees of Carolina: they did not like the government of those palatinates, as they were called: yet the prospect of so great a colony obtained to them all the conditions they proposed. I was made acquainted with all the steps they made; for those who were sent up were particularly recommended to me. In the negotiation this year there was no mixing with the malcontents in England: only they who were sent up went among them, and informed them of the oppressions they lay under; in particular of the terror with which this sentence against Blakewood had struck them all. The court resolved to prosecute that farther: for a proclamation was issued out in the beginning of the year eighty-three, by which the king ordered circuit courts to be sent round the western and southern counties, to enquire after all who had been guilty of harbouring, or conversing with, those who had been in rebellion, even though there had been neither process nor proclamation issued out against them. He also ordered, that all who were found guilty of such converse with them should be prosecuted as traitors. This inquisition was to last three years: and at the end of that time all was to conclude in a full indemnity to such as should not be then under prosecution. But the indemnity was to take place immediately to all such as should take the test. This was perhaps such a proclamation as the world had not seen since the days of the duke of Alba. Upon it great numbers ran in to take the test, declaring at the same time that they took it against their consciences; but they would do any thing to be safe. Such as resolved not to take it were trying how to settle or sell their estates, and resolved to leave the country, which was now in a very oppressed and desperate state.

But I must next turn again to the affairs of England. The court was every where triumphant: the duke was highly complimented by all, and seemed to have overcome all difficulties. The court, not content with all their victories, resolved to free themselves from the fears of troublesome parliaments for the future. The cities and boroughs of England were invited, and prevailed on, to demonstrate their loyalty, by surrendering up their charters, and taking new ones modelled as the court thought fit. It was much questioned whether those surrenders were good in law or not: it was said, that those who were in the government in corporations, and had their charters and seals trusted to their keeping, were not the proprietors, nor masters of those rights: they could not extinguish those corporations, nor part with any of their privileges. Others said, that whatever might be objected to the reason and equity of the thing, yet, when the seal of a corporation was put to any deed, such a deed was good in law. The matter goes beyond my skill in law to determine it: this is certain, that whatsoever may be said in law, there is no sort of theft or perfidy more criminal than for a body of men, whom their neighbours have trusted with their concerns, to steal away their charters, and affix their seals to such a deed, betraying in that their trust and their oaths. In former ages corporations were jealous of their privileges and customs to excess and superstition: so that it looked like a strange degeneracy, when all these were now delivered up; and this on design to pack a parliament, that might make way for a popish



king. So that, instead of securing us from popery under such a prince, these persons were now contriving ways to make all easy to him. Popery at all times has looked odious and cruel: yet what the emperor had lately done in Hungary, and what the king of France was then doing against protestants in that kingdom, shewed that their religion was as perfidious and as cruel in this age, as it had been in the last: and by the duke's government of Scotland, all men did see what was to be expected from him. All this laid together, the whole looked like an extravagant fit of madness: yet no part of it was so unaccountable, as the high strains to which the universities and most of the clergy were carried. The non-conformists were now prosecuted with much eagerness: this was visibly set on by the papists; and it was wisely done of them; for they knew how much the non-conformists were set against them; and therefore they made use of the indiscreet heat of some angry clergymen to ruin them: this they knew would render the clergy odious, and give the papists great advantages against them, if ever they should run into an opposition to their designs.

At Midsummer a new contest discovered how little the court resolved to regard either justice or decency. The court had carried the election of sir John Moor to be mayor of the city of London at Michaelmas eighty-one. He was the alderman on whom the election fell in course. Yet some who knew him well were for setting him aside, as one whom the court would easily manage. He had been a non-conformist himself, till he grew so rich, that he had a mind to go through the dignities of the city: but though he conformed to the church, yet he was still looked on, as one that in his heart favoured the sectaries: and upon this occasion he persuaded some of their preachers to go among their congregations to get votes for him. Others, who knew him to be a flexible and faint-hearted man, opposed his election: yet it was carried for him. The opposition that was made to his election had sharpened him so much, that he became in all things compliant to the court, in particular to secretary Jenkins, who took him into his own management. When the day came, in which the mayor used to drink to one, and to mark him out for sheriff, he drank to North, a merchant that was brother to the chief justice. Upon that it was pretended, that this ceremony was not a bare nomination, which the common hall might receive or refuse, as they had a mind to it; but that this made the sheriff, and that the common hall was bound to receive and confirm him in course, as the king did the mayor. On the other hand it was said, that the right was to be determined by the charter, which granted the election of the sheriffs to the citizens of London; and that, whatever customs had crept in among them, the right still lay where the charter had lodged it among the citizens. But the court was resolved to carry this point; and they found orders that had been made in the city concerning this particular, which gave some colour to this pretension of the mayor's. So he claimed it on Midsummer day; and said, the common hall were to go and elect one sheriff, and to confirm the other that had been declared by him. The hall on the other hand said, that the right of choosing both was in them. The old sheriffs put it according to custom to a poll: and it was visible, the much greater number was against the lord mayor. The sheriffs were always understood to be the officers of that court: so the adjourning it belonged to them: yet the mayor adjourned the court, which they said he had no power to do, and so went on with the poll. There was no disorder in the whole progress of the matter, if that was not to be called one, that they proceeded after the mayor had adjourned the poll: but though the mayor's party carried themselves with great insolence towards the other party, yet they shewed on this occasion more temper than could have been expected from so great a body, who thought their rights were now invaded. The mayor upon this resolved to take another poll, to which none should be admitted, but those who were contented to vote only for one, and to approve his nomination for the other. And it was resolved, that his poll should be that, by which the business should be settled: and though the sheriff's poll exceeded his by many hundreds, yet order was given to return those on the mayor's poll, and that they should be sworn; and so those of the sheriff's poll should be left to seek their remedy by law, where they could find it. Box, who was chosen by the mayor's party and joined to North, had no mind to serve upon so doubtful an election, where so many actions would lie, if it was judged against them at law: and he could not be persuaded to hold it. So it was necessary to call a new common hall, and to proceed to a new election: and then, without any proclamation made, as

was usual, one in a corner near the mayor named Rich, and about thirty more, applauded it; the rest of those in the hall, that was full of people and of noise, hearing nothing of it. Upon this it was said, that Rich was chosen without any contradiction: and so North and Rich were returned, and sworn sheriffs for the ensuing year. The violence and the injustice with which this matter was managed, shewed, that the court was resolved to carry that point at any rate: and this gave great occasions of jealousy, that some wicked design was on foot, for which it was necessary, in the first place, to be sure of favourable juries.

Lord Shaftesbury upon this, knowing how obnoxious he was, went out of England. His voyage was fatal to him: he just got to Amsterdam to die in it. Of the last parts of his life I shall have some occasion to make mention afterwards. When Michaelmas day came, those who found how much they had been deceived in Moor, resolved to choose a mayor that might be depended on. The poll was closed when the court thought they had the majority; but upon casting it up it appeared they had lost it: so they fell to canvass it: and they made such exceptions to those of the other side, that they discounted as many voices as gave them the majority. This was also managed in so gross a manner, that it was visible the court was resolved by fair or foul means to have the government of the city in their own hands. But because they would not be at this trouble, nor run this hazard every year, it was resolved that the charter of the city must either be given up, or be adjudged to the king. The former was much the easier way; so great pains was taken to manage the next election of the common council, so as that they might be tractable in this point. There was much injustice complained of in many of the wards of the city, both in the poll, and in the returns that were made. In order to the disabling all the dissenters from having a vote in that election, the bishop and clergy of London were pressed by the court to prosecute them in the church courts, that so they might excommunicate them; which some lawyers thought would render them incapable to vote, though other lawyers were very positively of another opinion. It is certain it gave at least a colour to deny them votes. The bishop of London began to apprehend that things were running too fast, and was backward in the matter. The clergy of the city refused to make presentments: the law laid that on the churchwardens: and so they would not meddle officiously. The king was displeased with them for their remissness: but after all the practices of the court, in the returns of the common council of the city, they could not bring it near an equality for delivering up their charter. Jenkins managed the whole business of the city with so many indirect practices, that the reputation he had for probity was much blemished by it: he seemed to think it was necessary to bring the city to a dependence on the court in the fairest methods he could fall on; and, if these did not succeed, that then he was to take the most effectual ones, hoping that a good intention would excuse bad practices.

The earl of Sunderland had been disgraced after the exclusion parliaments, as they were now called, were dissolved: but the king had so entire a confidence in him, and lady Portsmouth was so much in his interests, that upon great submissions made to the duke, he was again restored to be secretary this winter. Lord Hyde was the person that disposed the duke to it. Upon that lord Halifax and he fell to be in ill terms; for he hated lord Sunderland beyond expression, though he had married his sister. From lord Sunderland's returning to his post, all men concluded, that his declaring as he did for the exclusion, was certainly done by direction from the king, who naturally loved craft and a double game, that so he might have proper instruments to work by, which way soever he had turned himself in that affair. The king was the more desirous to have lord Sunderland again near him, that he might have somebody about him who understood foreign affairs. Jenkins understood nothing; but he had so much credit with the high church party, that he was of great use to the court. Lord Conway was brought in to be the other secretary, who was so very ignorant of foreign affairs, that his province being the north, when one of the foreign ministers talked to him of the circles of Germany, it amazed him: he could not imagine what circles had to do with affairs of state. He was now dismissed. Lord Halifax and lord Hyde fell to be in an open war, and were both much hated. Lord Halifax charged Hyde, who was at this time made earl of Rochester, with bribery, for having farmed a branch of the revenue much lower than had been proffered for it. Lord Halifax acquainted the king first with it; and,

as he told me, he desired lord Rochester himself to examine into it, he being inclined to think it was rather an abuse put on him, than corruption in himself. But he saw lord Rochester was cold in the matter, and instead of prosecuting any for it, protected all concerned in it. He laid the complaint before the king in council: and to convince the king how ill a bargain he had made, the complainers offered, if he would break the bargain, to give him 40,000*l.* more than he was to have from the farmers. He looked also into the other branches of the revenue, and found cause to suspect much corruption in every one of them: and he got undertakers to offer at a farm of the whole revenue. In this he had all the court on his side: for the king being now resolved to live on his revenue, without putting himself on a parliament, he was forced on a great reduction of expense: so that many payments ran in arrear: and the whole court was so ill paid, that the offering any thing that would raise the revenue, and blemish the management of the treasury, was very acceptable to all in it. Lord Rochester was also much hated: but the duke and the lady Portsmouth both protected the earl of Rochester so powerfully, that even propositions to the king's advantage, which blemished him, were not hearkened to. This touched in too tender a place to admit of a reconciliation: the duke forgot all lord Halifax's service in the point of the exclusion: and the dearness that was between them, was now turned upon this to a coldness, and afterwards to a most violent enmity. Upon this occasion lord Halifax sent for me, (for I went no more near any that belonged to the court,) and he told me the whole matter. I asked him how he stood with the king: he answered, that neither he, nor I, had the making of the king: God had made him of a particular composition. He said, he knew what the king said to himself: I asked him, if he knew likewise what he said to others; for he was apt to say to his several ministers, whatsoever he thought would please them, as long as he intended to make use of them. By the death of the earl of Nottingham the seals were given to North, who was made lord Guilford. He had not the virtues of his predecessor, but he had parts far beyond him; they were turned to craft: so that whereas the former seemed to mean well even when he did ill, this man was believed to mean ill even when he did well. The court finding that the city of London could not be wrought on to surrender their charter, resolved to have it condemned by a judgment in the king's bench. Jones had died in May: so now Pollexfen and Treby were chiefly relied on by the city in this matter. Sawyer was the attorney-general; a dull, hot man, and forward to serve all the designs of the court\*. He undertook by the advice of Saunders, a learned but a very immoral man, to overthrow the charter.

The two points upon which they rested the cause were, that the common council had

\* Sir George Treby was a native of Devonshire, where he was born, at or near Plympton, about the year 1654. He left college without taking his degree, and was called to the bar by the benchers of the Middle Temple. He speedily became known for his legal acquirements. In 1679 he was a representative in parliament of Plympton; and was appointed chairman of the committee of secrecy relating to the development of evidence concerning the popish plot. In 1680 he was a manager of the prosecution against the earl of Stafford. In the same year, sir George Jeffreys being deprived of the recordership of London, for checking the petitions to the king relative to calling a parliament, Treby was elected to succeed him, and was knighted; but when the presbyterian plot was prosecuted, or discovered in 1683, he was deprived of his office. In 1688 he was made solicitor-general, Pollexfen being then made attorney-general; and the year following he succeeded to the latter preferment upon Pollexfen being raised to the bench. In 1692 he was made a serjeant, and shortly after lord chief justice of the Common Pleas. He died in 1701.—(Wood's *Athenæ Oxon.*; Noble's *Cont. of Grainger.*) As an advocate and a judge he was distinguished for the maintenance of the public liberties; his chief foible was a fondness for wine. His works throw considerable light upon some of the public transactions of his period. They are "A Collection of

Letters, &c. relating to the Popish Plot;" "Truth Vindicated; or, a Detection of the Scandals cast upon Sir Robert Clayton, and Sir George Treby, justices, and Slingsby Bethel and Henry Cornish, sheriffs, &c.;" this, and a pamphlet by Dr. Hawkins, related to the Confession of Fitzharris, the informer; "Speech to the Prince of Orange in 1688;" "Pleadings and Arguments upon the Quo Warranto, touching the Charter of the City of London." He is supposed to have written the marginal notes to Dyer's Reports.—Woolrych's *Life of Jeffreys.*

Sir Robert Sawyer was the son of sir Edmund Sawyer, who resided near Windsor. He was a barrister of the Inner Temple, having previously completed his education at Magdalen College, Cambridge. He seems to have possessed inflexible integrity. In 1661 he represented in parliament Great Wycomb. He became attorney-general, and was knighted in 1680, succeeding sir Cresswell Levin in that office. He lost his place for denying and opposing James the Second's dispensing power. Although he mitigated the brutal violence of Jeffreys during the trial of Plunket, yet he has been justly censured for similar disgraceful conduct at the trial of Lord William Russell. He had a large estate at High-Clere, in Hampshire, where he died, in 1692.—Wood's *Fæsti Oxon.*; Grainger's *Gen. Biog. Dict.*, &c.



petitioned the king, upon a prorogation of parliament, that it might meet on the day to which it was prorogued, and had taxed the prorogation as that which occasioned a delay of justice : this was construed to be raising sedition, and possessing the people with an ill opinion of the king and his government. The other point was, that the city had imposed new taxes on their wharfs and markets, which was an invasion of the liberty of the subject, and contrary to law. It was said, that all that the crown gave was forfeitable back to the crown again, upon a malversation of the body ; and that as the common council was the body of the city, chosen by all the citizens, so they were all involved in what the common council did : and they inferred, that since they had both scandalized the king's government, and oppressed their fellow-subjects, they had thereupon forfeited their liberties : many precedents were brought of the seizing on the liberties of towns, and other corporations, and of extinguishing them.

The arguments against this were made by Treby, then the recorder of London, and Pollexfen, who argued about three hours apiece. They laid it down for a foundation, that trading corporations were immortal bodies, for the breeding a succession of trading men, and for perpetuating a fund of public chambers, for the estates of orphans, and trusts, and for all pious endowments : that crimes committed, by persons entrusted in the government of them, were personal things, which were only chargeable on those who committed them, but could not affect the whole body : the treason of a bishop, or a clerk, only forfeited his title, but did not dissolve the bishopric, or benefice : so the magistrates only were to be punished for their own crimes : an entailed estate, when a tenant for life was attainted, was not forfeited to the king, but went to the next in remainder upon his death. The government of a city, which was a temporary administration, vested no property in the magistrates : and therefore they had nothing to forfeit, but what belonged to themselves : there were also express acts of parliament made in favour of the city, that it should not be punished for the misdemeanors of those who bore office in it : they answered the great objection, that was brought from the forfeitures of some abbeyes, on the attainder of their abbots in king Henry the Eighth's time, that there were peculiar laws made at that time, upon which those forfeitures were grounded, which had been repealed since that time : all those forfeitures were confirmed in parliament, and that purged all defects : the common council was a selected body, chosen for particular ends ; and if they went beyond these, they were liable to be punished for it : if the petition they offered the king was seditious, the king might proceed against every man that was concerned in it : and those upon whom those taxes had been levied, might bring their actions against those who had levied them. But it seemed very strange, that when none of the petitioners were proceeded against for any thing contained in that petition, and when no actions were brought on the account of those taxes, that the whole body should suffer in common for that, which none of those who were immediately concerned in it, had been so much as brought in question for, in any court of law : if the common council petitioned more earnestly than was fitting for the sitting of the parliament, that ought to be ascribed to their zeal for the king's safety, and for the established religion : and it ought not to be strained to any other sense, than to that which they profess, in the body of their petition, much less to be carried so far as to dissolve the whole body on that account : and as for the tolls and taxes, these were things practised in all the corporations of England, and seemed to be exactly according to law : the city, since the fire, had, at a vast charge, made their wharfs and markets much more noble and convenient than they were before ; and therefore they might well deny the benefit of them to those, who would not pay a new rate, that they set on them for the payment of the debt contracted in building them : this was not the imposing a tax, but the raising a rent out of a piece of ground, which the city might as well do, as a man who rebuilds his house may raise the rent of it : all the precedents that were brought were examined and answered : some corporations were deserted, and so upon the matter dissolved themselves : judgments in such cases did not tally with this in hand. The seizing on the liberties of a corporation did not dissolve the body ; for when a bishop dies the king seizes the temporalities ; but the corporation still subsists ; and they are restored to the next incumbent. There were indeed some very strange precedents made in Richard the Second's time ; but they were followed by as strange a reverse : the judges were hanged for the

judgments they gave: they also insisted on the effects that would follow on the forfeiting the charter: the custom of London was thereby broken: all the public endowments, and charities lodged with the city, must revert to the heirs of the donors. This is the substance of the argument, as I had it from Pollexfen. As for the more intricate points of law, I meddle not with them, but leave them to the learned men of that profession. When the matter was brought near judgment, Saunders, who had planned the whole thing, was made chief justice. Pemberton, who was not satisfied in the point, being removed to the common pleas, upon North's advancement. Dolben, a judge of the king's bench, was found not to be clear: so he was turned out, and Withins came in his room. When sentence was to be given, Saunders was struck with an apoplexy; so he could not come into court: but he sent his judgment in writing, and died a few days after\*. The sentence was given without the solemnity that was usual upon great occasions: the judges were wont formerly in delivering their opinions to make long arguments, in which they set forth the grounds of law on which they went, which were great instructions to the students and barristers; but that had been laid aside ever since Hale's time.

The judgment now given was, that a city might forfeit its charter; that the malversations of the common council were the acts of the whole city, and that the two points set forth in the pleadings were just grounds for the forfeiting of a charter. Upon which premises the proper conclusion seemed to be, that therefore the city of London had forfeited its charter: but the consequences of that were so much apprehended, that they did not think fit to venture on it; so they judged, that the king might seize the liberties of the city. The attorney-general moved, contrary to what is usual in such cases, that the judgment might not be recorded. And upon that, new endeavours were used to bring the common council to deliver up their charter: yet that could not be compassed, though it was brought much nearer in the numbers of the voices, than was imagined could ever be done.

There were other very severe proceedings at this time with relation to particular persons. Pilkinton was sheriff of London the former year; an honest but an indiscreet man, that gave himself great liberties in discourse. He being desired to go along with the mayor and aldermen, to compliment the duke upon his return from Scotland, declined going, and reflected on him as one concerned in the burning of the city. Two aldermen said they heard that, and swore it against him. Sir Patience Ward, the mayor of the former year, seeing him go into that discourse, had diverted him from it, but heard not the words which the others swore to: and he deposed, that to the best of his remembrance he said not those words. Pilkinton was cast in 100,000*l.* damages, the most excessive that had ever been given. But the matter did not stop there: Ward was indicted of perjury; it being said, that since he swore that the words were not spoken, and that the jury had given a verdict upon the evidence that they were spoken, by consequence he was guilty of perjury. It was said on the other side, that when two swear one way, and a third swears another way, a jury may believe the two better than the one: but it is not certain from thence that he is perjured: if that were law, no man would be a witness; if, because they of the other side were believed, he should be therefore convicted of perjury. A man's swearing to a negative, that such words were not

\* Sir Edmund Saunders had a powerful mind, which no difficulties could subdue; a buoyancy that would rise superior to all obstacles. Without known parents or relatives, he was a mere beggar boy, who frequented Clement's Inn, and "courted the attorney's clerks for scraps." They noticed his good-humoured gaiety, and one of them attending to his desire to learn to write, soon made him master of that acquirement. He had now the instrument of success in his power; he borrowed books, and devoted all his leisure to their perusal. An attorney fixed a desk for him at the top of a staircase, and employed him as a copier. By degrees he rose from being an attorney, to be as able a barrister. His practice was equal to the best in the King's Bench; "his art and cunning were equal to his knowledge; and he carried many a cause by laying snares." His person was so uncouth that it is described as "a mere lump of morbid flesh;" morbid,

because his intemperance produced a state of body that could only be kept free from fatal attacks by means of continued discharges. He smelt so offensively that persons were obliged to protect their noses when near him. He often observed that "none could say he wanted issue, for he had no less than nine in his back." He was much employed by the court party, indeed he was the government *devil*, that is the counsellor who settles its pleadings. His promotion and death are mentioned in the text. His "Reports" are among the best authorities the lawyer can consult.—(North's Life of L. K. Guildford.) Sir William Dolben was made recorder of London when sir John Howel retired. He was raised to a judgeship of the King's Bench in 1678, but removed, as stated by Burnet, because he would not decide as the king wished. At the revolution in 1688 he was restored. He died in 1693.—Wood's Athenæ; Woolrych's Jeffreys, &c.

spoken, did only amount to this, that he did not hear them : and it would be hard to prove, that he who swore so, had heard them. But Ward proved, by him that took the trial in short hand, as he had done some others with great approbation, that he had said, " To the best of his remembrance these words were not spoken by Pilkinton : " upon which Jeffreys had said, that his invention was better than his memory : and the attorney-general in summing up the evidence to the jury had said, they ought to have no regard to Ward's evidence, since he had only deposed upon his memory. Yet that jury returned Ward guilty of perjury : and it was intended, if he had not gone out of the way, to have set him in the pillory. The truth is, juries became at that time the shame of the nation, as well as a reproach to religion : for they were packed, and prepared to bring in verdicts as they were directed, and not as matters appeared on the evidence.

Thus affairs were going on, all the year eighty-two, and to the beginning of eighty-three. The earl of Shaftesbury had been for making use of the heat the city was in, during the contest about the sheriffs ; and thought they might have created a great disturbance, and made themselves masters of the Tower : and he believed, the first appearance of the least disorder would have prevailed on the king to yield every thing. The duke of Monmouth, who understood what a rabble was and what troops were, looked on this as a mad exposing of themselves and of their friends. The lords Essex and Russel were of the same mind. So lord Shaftesbury, seeing they could not be engaged into action, flew out against them. He said, the duke of Monmouth was sent into the party by the king for this end, to keep all things quiet till the court had gained its point : he said, lord Essex had also made his bargain, and was to go to Ireland ; and that among them lord Russel was deceived. With this he endeavoured to blast them in the city : they studied to prevent the ill effects, that those jealousies which he was infusing into the citizens, might have among them. So the duke of Monmouth gave an appointment to lord Shaftesbury, or some of his friends, to meet him, and some others that he should bring along with him, at Shepherd's, a wine merchant in whom they had an entire confidence. The night before this appointment lord Russel came to town, on the account of his uncle's illness. The duke of Monmouth went to him, and told him of the appointment, and desired he would go thither with him : he consented, the rather because he intended to taste some of that merchant's wine. At night they went with lord Grey and sir Thomas Armstrong. When they came, they found none there but Rumsey and Ferguson, two of lord Shaftesbury's tools that he employed : upon which, they seeing no better company, resolved immediately to go back : but lord Russel called for a taste of the wines ; and while they were bringing it up, Rumsey and Armstrong fell into a discourse of surprising the guards. Rumsey fancied it might have been easily done : Armstrong, that had commanded them, shewed him his mistakes. This was no consultation about what was to be done, but only about what might have been done. Lord Russel spoke nothing upon the subject ; but as soon as he had tasted his wines they went away. It may seem, that this is too light a passage to be told so copiously ; but much depends on it. Lord Shaftesbury had one meeting with the earls of Essex and Salisbury before he went out of England. Fear, anger, and disappointment, had wrought so much on him, that lord Essex told me he was much broken in his thoughts : his notions were wild and impracticable ; and he was glad that he was gone out of England : but said, that he had done them already a great deal of mischief, and would have done more if he had stayed. As soon as he was gone, the lords and all the chief men of the party saw their danger from forward sheriffs, willing juries, mercenary judges, and bold witnesses : so they resolved to go home, and be silent, to speak and to meddle as little as might be in public business, and to let the present ill temper the nation was fallen into wear out : for they did not doubt but the court, especially as it was now managed by the duke, would soon bring the nation again into its wits by their ill conduct and proceedings. All that was to be done was, to keep up as much as they could a good spirit with relation to elections of parliament, if one should be called.

The duke of Monmouth resolved to be advised chiefly by lord Essex. He would not be alone in that, but named lord Russel, against whom no objection could lie : and next to him he named Algernon Sidney, brother to the earl of Leicester, a man of most extraordinary courage, a steady man, even to obstinacy ; sincere, but of a rough and boisterous temper



that could not bear contradiction. He seemed to be a Christian, but in a particular form of his own : he thought, it was to be like a divine philosophy in the mind : but he was against all public worship, and every thing that looked like a church. He was stiff to all republican principles ; and such an enemy to every thing that looked like monarchy, that he set himself in a high opposition against Cromwell when he was made protector. He had studied the history of government in all its branches beyond any man I ever knew. He was ambassador in Denmark at the time of the restoration, but did not come back till the year seventy-eight, when the parliament was pressing the king into a war. The court of France obtained leave for him to return. He did all he could to divert people from that war, so that some took him for a pensioner of France ; but to those to whom he durst speak freely, he said, he knew it was all a juggle ; that our court was in an entire confidence with France, and had no other design in this shew of a war but to raise an army, and keep it beyond sea till it was trained and modelled. Sidney had a particular way of insinuating himself into people that would hearken to his notions, and not contradict him \*. He tried me, but I was not so submissive a hearer ; so we lived afterwards at a great distance. He wrought himself into lord Essex's confidence to such a degree, that he became the master of his spirit. He had a great kindness for lord Howard, as was formerly told ; for that lord hated both the king and monarchy as much as he himself did. He prevailed on lord Essex to take lord Howard into their secrets, though lord Essex had expressed such an ill opinion of him a little before to me, as to say he wondered how any man would trust himself alone with him. Lord Russel, though his cousin german, had the same ill opinion of him : yet Sidney overcame both their aversions. Lord Howard had made the duke of Monmouth enter into confidence with Sidney, who used to speak very slightly of him, and to say, it was all one to him whether James duke of York, or James duke of Monmouth was to succeed. Yet lord Howard perhaps put a notion into him, which he offered often to me, that a prince who knew there was a flaw in his title would always govern well, and consider himself as at the mercy of the right heir, if he was not in all things in the interests and hearts of his people, which was often neglected by princes that relied on an undoubted title. Lord Howard, by a trick put both on the duke of Monmouth and Sidney, brought them to be acquainted. He told Sidney that the duke of Monmouth was resolved to come some day alone and dine with him : and he made the duke of Monmouth believe that Sidney desired this, that so he might not seem to come and court the duke of Monmouth : and said that some regard was to be had to his temper and age. Hampden was also taken into their secret ; he was the grandson of him that had pleaded the cause of England, in the point of the ship-money, with king Charles the First. His father was a very eminent man, and had been zealous in the exclusion : he was a young man of great parts ; one of the most learned gentlemen I have ever known ; for he was a critic both in Latin, Greek, and Hebrew : he was a man of great heat and vivacity, but too unequal in his temper : he had once great principles of religion : but he was much corrupted by P. Simon's conversation at Paris.

With these men the duke of Monmouth met often. His interest in Scotland, both by

\* Algernon Sidney is an instance, among many others of this period, of a man being raised to celebrity by his sufferings : and immortalized by the firmness with which he endured them. All authorities represent him as unamiable. According to sir William Temple's opinion, Sidney must have had an extraordinary opinion of his own character. There is this passage in his work upon government, " If there be any such thing as divine right, it must be where one man is better qualified to govern another than he is to govern himself : such a person seems by God and Nature designed to govern the other for his benefit and happiness." Sir W. Temple told the earl of Dartmouth, that he knew Sidney well, and was sure that he looked upon himself as the man qualified to govern others.—Oxford ed. of this work. The leading feature of his political life is the implacable hatred he entertained towards a monarchy. He served as a colonel in the parliamentary army, and was nominated one of Charles the

First's judges, but did not sign the death warrant. He justly thought that " Protector was only king written large," therefore as strenuously opposed Oliver and Richard Cromwell as he had their predecessor. In 1659 he was one of the commissioners delegated to mediate between Denmark and Sweden. He remained an exile until 1677, and then returned upon a conditional pardon. The text has told how closely knit he was to the friends of public liberty. His " Discourses upon Government " are well written. He was born about 1620, consequently was fifty-three when he suffered.—Biog. Britannica. When he was at the court of Denmark, he wrote this sentence in its book of mottoes ; it was doubtless a true utterance of his heart—

Manus hæc inimica tyrannia,  
Ense petit placidam sub libertate quietem.

—Molesworth's Account of Denmark.

the dependence that his wife's great estate brought him, but chiefly by the knowledge he had of their affairs while he was among them, and by the confidence he knew they had all in him, made him turn his thoughts much towards that kingdom, as the properest scene of action. He had met often with lord Argyle while he was in London, and had many conferences with him of the state of that kingdom, and of what might be done there: and he thought the business of Carolina was a very proper blind to bring up some of the Scotch gentlemen, under the appearance of treating about that. They upon this agreed to send one Aaron Smith to Scotland, to desire that some men of absolute confidence might be sent up for that end. So when the proclamation, that was formerly mentioned, was published, it spread such an universal apprehension through all the suspected counties, that they looked on themselves as marked out to destruction: and it is very natural for people under such impressions, to set themselves to look out for remedies as soon as they can.

In the beginning of April some of them came up. The person that was most entirely trusted, and to whom the journey proved fatal, was Baillie, of whose unjust treatment upon Carstairs's information an account was formerly given. He was my cousin german; so I knew him well. He was in the presbyterian principles, but was a man of great piety and virtue, learned in the law, in mathematics, and in languages: I went to him as soon as I heard he was come, in great simplicity of heart, thinking of nothing but of Carolina. I was only afraid they might go too much into the company of the English, and give true representations of the state of affairs in Scotland: this might be reported about by men that would name them; and that might bring them into trouble. But a few weeks after I found they came not to me as they were wont to do; and I heard they were often with lord Russel. I was apprehensive of this; and lord Essex being in the country, I went to him to warn him of the danger, I feared lord Russel might be brought into, by this conversation with my countrymen. He diverted me from all my apprehensions; and told me, I might depend on it, lord Russel would be in nothing without acquainting him: and he seemed to agree entirely with me, that a rising, in the state in which things were then, would be fatal. I always said, that when the root of the constitution was struck at to be overturned, then I thought subjects might defend themselves: but I thought jealousies and fears, and particular acts of injustice, could not warrant this. He did agree with me in this: he thought, the obligation between prince and subject was so equally mutual, that upon a breach on the one side the other was free: but though he thought the late injustice in London, and the end that was driven at by it, did set them at liberty to look to themselves, yet he confessed things were not ripe enough yet, and that an ill laid, and an ill managed rising would be our ruin. I was then newly come from writing my history of the reformation; and did so evidently see, that the struggle for lady Jane Grey, and Wyatt's rising, was that which threw the nation so quickly into popery after king Edward's days, (for such as had rendered themselves obnoxious in those matters saw no other way to secure themselves, and found their turning was a sure one,) that I was now very apprehensive of this; besides that I thought it was yet unlawful. What passed between the Scots and the English lords I know not; only that lord Argyle, who was then in Holland, asked at first 20,000*l.* for buying a stock of arms and ammunition, which he afterwards brought down to 8,000*l.*, and a thousand horse to be sent into Scotland: upon which he undertook the conduct of that matter. I know no further than general hints of their matters: for though Hampden offered frequently to give me a particular account of it all, knowing that I was writing the history of that time, yet I told him, that till by an indemnity that whole matter was buried, I would know none of those secrets, which I might be obliged to reveal, or to lie and deny my knowledge of them: so to avoid that I put it off at that time. And when I returned to England at the revolution, we appointed often to meet, in order to a full relation of it all. But by several accidents it went off, as a thing is apt to do which one can recover at any time. And so his unhappy end came on before I had it from him. I know this, that no money was raised: but the thing had got some vent; for my own brother, a zealous presbyterian, who was come from Scotland, it not being safe for him to live any longer in that kingdom, knowing that he had conversed with many that had been in the rebellion, told me, there was certainly somewhat in agitation among them, about which some of their teachers had let out somewhat

very freely to himself: how far that matter went, and how the scheme was laid, I cannot tell; and so must leave it in the dark. Their contract for the project of Carolina seemed to go on apace: they had sent some thither the former year, who were now come back, and brought them a particular account of every thing: they likewise, to cover their negotiations with lord Argyle, sent some over to him; but with the blind of instructions for buying ships in Holland, and other things necessary for their transportation.

While this matter was thus in a close management among them, there was another company of lord Shaftesbury's creatures, that met in the Temple in the chambers of one West, a witty and active man, full of talk, and believed to be a determined atheist. Rumsey and Ferguson came constantly thither. The former of these was an officer in Cromwell's army, who went into Portugal with the forces that served there under Schomberg. He did a brave action in that service: and Schomberg wrote a particular letter to the king setting it out: upon which he got a place; and he had applied himself to lord Shaftesbury as his patron. He was much trusted by him, and sent often about on messages. Once or twice he came to lord Russel, but it was upon indifferent things. Lord Russel said to me, that at that very time he felt such a secret aversion to him, that he was in no danger of trusting him much. He was one of the bold talkers, and kept chiefly among lord Shaftesbury's creatures. He was upon all the secret of his going beyond sea, which seemed to shew that he was not then a spy of the court's, which some suspected he was all along. Ferguson was a hot and a bold man, whose spirit was naturally turned to plotting: he was always unquiet, and setting people on to some mischief: I knew a private thing of him, by which it appeared he was a profligate knave, and could cheat those that trusted him entirely: so though he, being a Scotchman, took all the ways he could to be admitted into some acquaintance with me, I would never see him, or speak with him: and I did not know his face till the revolution: he was cast out by the presbyterians, and then went among the independents, where his boldness raised him to some figure, though he was at bottom a very empty man: he had the management of a secret press, and of a purse that maintained it: and he gave about most of the pamphlets written of that side; and with some he passed for the author of them: and such was his vanity, because this made him more considerable, that he was not ill pleased to have that believed; though it only exposed him so much the more\*. With these, Goodenough, who had been under-sheriff of London in Bethel's year, and one Halloway, of Bristol, met often, and had a great deal of rambling discourse, to shew how easy a thing it was on the sudden to raise four thousand men in the city. Goodenough, by reason of his office, knew the city well, and pretended he knew many men of so much credit in every corner of it, and on whom they might depend, as could raise that number, which he reckoned would quickly grow much stronger: and it is probable, this was the scheme with which lord Shaftesbury was so possessed, that he thought it might be depended on. They had many discourses of the heads of a declaration proper for such a rising, and disputed of these with much subtilty as they thought: and they intended to send Halloway to Bristol, to try what could be done there at the same time. But all this was only talk, and went no further than to a few of their own confidants. Rumsey, Ferguson, and West were often talking of the danger of executing this, and that the shorter and surer way was to kill the two brothers†. One Rumbold, who had served in Cromwell's army, came twice among them; and while they were in that wicked discourse, which they expressed by the term lopping. He upon that told them, he had a farm near Hodsden, in the way to Newmarket; and there was a moat cast round his house, through which the king sometimes passed in his way thither. He said, once the coach went through quite alone, without any of the guards about it; and that, if he had laid any thing across the way to have stopped the coach but a minute, he could have shot them both, and have rode away through grounds, that he knew so well, that it would not have been possible to have followed him. Upon which they ran into much wicked talk about the way of executing that. But nothing was ever fixed on: all was but talk. At one time lord Howard was among them: and they talked over their several schemes of lopping. One of them was to be executed in the Play-house. Lord Howard said, he liked

\* More concerning these soundrels may be seen in Wood's *Athenæ Oxon.* Echard, Dalrymple, Calamy, &c.

† The king and the duke of York.



that best, for then they would die in their calling. This was so like his way of talk, that it was easily believed, though he always denied it. Walcot, an Irish gentleman that had been of Cromwell's army, was now in London, and got into that company: and he was made believe, that the thing was so well laid, that many both in city and country were engaged in it. He liked the project of a rising, but declared he would not meddle in their lopping. So this wicked knot of men continued their caballings, from the time that the earl of Shaftesbury went away: and these were the subjects of their discourses. The king went constantly to Newmarket for about a month, both in April and October. In April, while he was there, the fire broke out, and burned part of the town: upon which the king came back a week sooner than he intended.

While all these things were thus going on, there was one Keeling, an anabaptist in London, who was sinking in his business, and began to think that of a witness would be the better trade. Goodenough had employed him often to try their strength in the city, and to count on whom they could depend for a sudden rising: he had also talked to him of the design of killing the two brothers: so he went and discovered all he could to Leg, at that time made lord Dartmouth. Leg made no great account of it, but sent him to Jenkins. Jenkins took his depositions, but told him he could not proceed in it without more witnesses; so he went to his brother, who was a man of heat in his way, but of probity; who did not incline to ill designs, and less to discover them. Keeling carried his brother to Goodenough, and assured him he might be depended on. So Goodenough run out into a rambling discourse of what they both could and would do: and he also spoke of killing the king and the duke, which would make their work easy. When they left him, the discoverer pressed his brother to go along with him to Westminster, where he pretended business, but stopped at Whitehall. The other was uneasy, longing to get out of his company, to go to some friends for advice upon what had happened. But he drew him on: and at last, he not knowing whither he was going, he drew him into Jenkins's office; and there told the secretary he had brought another witness, who had heard the substance of the plot from Goodenough's own mouth just then. His brother was deeply struck with this cheat and surprise, but could not avoid the making oath to Jenkins of all he had heard. The secretary, whose phlegmatic head was not turned for such a work, let them both go, and sent out no warrants till he had communicated the matter to the rest of the ministry, the king being then at Windsor. So Keeling, who had been thus drawn into the snare by his brother, sent advertisements to Goodenough, and all the other persons whom he had named, to go out of the way.

Rumsey and West were at this time perpetually together; and apprehending that they had trusted themselves to too many persons, who might discover them, they laid a story, in which they resolved to agree so well together, that they should not contradict one another. They framed their story thus: that they had laid the design of their rising to be executed on the seventeenth of November, the day of queen Elizabeth's coming to the crown, on which the citizens used to run together, and carry about popes in procession, and burn them: so that day seemed proper to cover their running together, till they met in a body. Others, they said, thought it best to do nothing on that day, the rout being usually at night, but to lay their rising for the next Sunday at the hour of people's being at church. This was laid to shew how near the matter was to the being executed. But the part of their story that was the best laid, (for this looked ridiculous, since they could not name any one person of any condition that was to head this rising,) was, that they pretended that Rumbold had offered them his house in the Heath for executing the design. It was called Rye; and from thence it was called the *Rye Plot*. He asked forty men, well armed and mounted, whom Rumsey and Walcot were to command in two parties: the one was to engage the guards, if they should be near the coach; and the other was to stop the coach, and to murder the king and the duke. Rumsey took the wicked part on himself, saying, that Walcot had made a scruple of killing the king, but none of engaging the guards: so Rumsey was to do the execution. And they said, they were divided in their minds what to do next: some were for defending the moat till night, and then to have gone off: others were for riding through grounds in a shorter way towards the Thames. Of these forty they could name but eight. But it was pretended that Walcot Goodenough, and Rumbold had undertaken to

find both the rest of the men and the horses; for, though upon such an occasion men would have taken care to have had sure and well tried horses, this also was said to be trusted to others. As for arms, West had bought some, as on a commission for a plantation: and these were said to be some of the arms with which they were to be furnished; though when they were seen they seemed very improper for such a service. I saw all West's narrative, which was put in lord Rochester's hands: and a friend of mine borrowed it of him, and lent it me. They were so wise at court, that they would not suffer it to be printed; for then it would have appeared too gross to be believed.

But the part of it all that seemed the most amazing was, that it was to have been executed on the day in which the king had intended to return from Newmarket; but the happy fire that sent him away a week sooner had quite defeated the whole plot, while it was within a week of its execution, and neither horses, men, nor arms yet provided. This seemed to be so eminent a providence, that the whole nation was struck with it: and both preachers and poets had a noble subject to enlarge on, and to shew how much the king and the duke were under the watchful care of Providence.

Within three days after Keeling's discovery the plot broke out, and became the whole discourse of the town. Many examinations were taken, and several persons were clapped up upon it. Among these Wildman was one, who had been an agitator in Cromwell's army, and had opposed his protectorship. After the restoration, he being looked on as a high republican, was kept long in prison; where he had studied law and physic so much, that he passed as a man very knowing in those matters. He had a way of creating in others a great opinion of his sagacity, and had great credit with the duke of Buckingham, and was now very active under Sidney's conduct. He was seized on, and his house was searched: in his cellars there happened to be two small field-pieces that belonged to the duke of Buckingham, and that lay in York-house when that was sold, and was to be pulled down: Wildman carried those two pieces, which were finely wrought, but of little use, into his cellars, where they were laid on ordinary wooden carriages, and no way fitted for any service: yet these were carried to Whitehall, and exposed to view, as an undeniable proof of a rebellion designed, since here was their cannon.

Several persons came to me from court, assuring me that there was full proof made of a plot. Lord Howard coming soon after them to see me, talked of the whole matter in his spiteful way with so much scorn, that I really thought he knew of nothing, and by consequence I believed there was no truth in all these discoveries. He said, the court knew they were sure of juries, and they would furnish themselves quickly with witnesses: and he spoke of the duke as of one that would be worse, not only than queen Mary, but than Nero: and with eyes and hands lifted to Heaven, he vowed to me, that he knew of no plot, and that he believed nothing of it.

Two days after, a proclamation came out for seizing on some who could not be found: and among these Rumsey and West were named. The next day West delivered himself: and Rumsey came in a day after him. These two brought out their story, which, how incredible soever it was, passed so for certain, that any man that seemed to doubt it was concluded to be in it. That of defending themselves within mud walls and a moat, looked like the invention of a lawyer, who could not lay a military contrivance with any sort of probability. Nor did it appear where the forty horse were to be lodged, and how they were to be brought together. All these were thought objections that could be made by none but those who either were of it, or wished well to it. These new witnesses had also heard of the conferences that the duke of Monmouth and the other lords had with those who were come from Scotland, but knew nothing of it themselves. Rumsey did likewise remember the discourse at Shepherd's.

When the council found the duke of Monmouth and lord Russel were named, they wrote to the king to come to London: they would not venture to go further without his presence and leave. A messenger of the council was sent the morning before the king came, to wait at lord Russel's gate, to have stopped him if he had offered to go out. This was observed; for he walked many hours there; and it was looked on as done on purpose to frighten him

away ; for his back gate was not watched ; so for several hours he might have gone away if he had intended it. He heard that Rumsey had named him ; but he knew he had not trusted him, and he never reflected on the discourse at Shepherd's. He sent his wife among his friends for advice. They were of different minds ; but since he said he apprehended nothing, from any thing he had said to Rumsey, they thought his going out of the way would give the court too great an advantage, and would look like a confessing of guilt. So this agreeing with his own mind, he stayed at home till the king was come : and then a messenger was sent to carry him before the council. He received it very composedly, and went thither. Rumsey had also said, that at Shepherd's there was some discourse of Trenchard's undertaking to raise a body out of Taunton, and of his failing in it : so lord Russel was examined upon that, the king telling him, that nobody suspected him of any design against his person, but that he had good evidence of his being in designs against his government. Lord Russel protested, he had heard nothing relating to Trenchard : and said to the last, that either it was a fiction of Rumsey's, or it had passed between him and Armstrong, while he was walking about the room, or tasting the wines at Shepherd's ; for he had not heard a word of it. Upon all this he was sent a close prisoner to the Tower.

Sidney was brought next before the council, but his examination lasted not long. He said, he must make the best defence he could, if they had any proof against him ; but he would not fortify their evidence by any thing he should say : and, indeed, that was the wisest course, for the answering questions upon such examinations is a very dangerous thing : every word that is said is laid hold on, that can be turned against a man's self or his friends, and no regard is had to what he might say in favour of them ; and it had been happy for the rest, especially for Baillie, if they had all held to this maxim. There was at that time no sort of evidence against Sidney, so that his commitment was against law : Trenchard was also examined ; he denied every thing. But one point of his guilt was well known : he was the first man that had moved the exclusion in the house of commons ; so he was reckoned a lost man.

Baillie and two other gentlemen of Scotland, both Campbells, had changed their lodgings while the town was in this fermentation : and upon that they were seized on as suspected persons, and brought before the king. He himself examined them, and first questioned them about the design against his person, which they very frankly answered, and denied they knew any thing about it. Then he asked them, if they had been in any consultations with lords or others in England, in order to an insurrection in Scotland. Baillie faltered at this ; for his conscience restrained him from lying. He said, he did not know the importance of those questions, nor what use might be made of his answers : He desired to see them in writing, and then he would consider how to answer them. Both the king and the duke threatened him upon this : and he seemed to neglect that with so much of the air of a philosopher, that it provoked them out of measure against him. The other two were so lately come from Scotland, that they had seen nobody, and knew nothing. Baillie was loaded by a special direction with very heavy irons ; so that for some weeks his life was a burden to him. Cochran, another of those who had been concerned in this treaty, was complained of, as having talked very freely of the duke's government of Scotland. Upon which the Scotch secretary sent a note to him, desiring him to come to him ; for it was intended only to have given him a reprimand, and to have ordered him to go to Scotland. But he knew his own secret : so he left his lodgings, and got beyond sea. This shewed the court had not yet got full evidence ; otherwise he would have been taken up, as well as others were.

As soon as the council rose, the king went to the duchess of Monmouth's, and seemed so much concerned for the duke of Monmouth, that he wept as he spoke to her. That duke told a strange passage relating to that visit, to the lord Cutts, from whom I had it. The king told his lady, that some were to come and search her lodgings ; but he had given orders that no search should be made in her apartments : so she might conceal him safely in them. But the duke of Monmouth added, that he knew him too well to trust him : so he went out of his lodgings. And it seems he judged right ; for the place that was first searched for him, was her rooms ; but he was gone : and he gave that for the reason why he could never



trust the king after that. It is not likely the king meant to proceed to extremities with him, but that he intended to have him in his own hands, and in his power \*.

An order was sent to bring up the lord Grey, which met him coming up. He was brought before the council, where he behaved himself with great presence of mind. He was sent to the Tower; but the gates were shut: so he stayed in the messenger's hands all night, whom he furnished so liberally with wine, that he was dead drunk. Next morning he went with him to the Tower gate, the messenger being again fast asleep. He himself called at the Tower gate, to bring the lieutenant of the Tower to receive a prisoner. But he began to think he might be in danger: he found Rumsey was one witness, and if another should come in he was gone: so he called for a pair of oars, and went away, leaving the drunken messenger fast asleep. Warrants were sent for several other persons; some went out of the way, and others were dismissed after some months' imprisonment. The king shewed some appearance of sincerity in examining the witnesses: he told them, he would not have a growing evidence; and so he charged them to tell out at once all that they knew: he led them into no accusations by asking them any questions: he only asked them if Oates was in their secret? They answered, that they all looked on him as such a rogue, that they would not trust him. The king also said, he found lord Howard was not among them, and he believed that was upon the same account. There were many more persons named, and more particulars set down in West's narrative, than the court thought fit to make use of: for they had no appearance of truth in them.

Lord Russel, from the time of his imprisonment, looked upon himself as a dead man, and turned his thoughts wholly to another world. He read much in the scriptures, particularly in the Psalms, and read "Baxter's Dying Thoughts." He was as serene and calm as if he had been in no danger at all. A committee of council came to examine him upon the design of seizing on the guards, and about his treating with the Scots. He answered them civilly; and said, that he was now preparing for his trial, where he did not doubt but he should answer every thing that could be objected to him. From him they went to Sidney, who treated them more roughly: he said, it seemed they wanted evidence, and therefore they were come to draw it from his own mouth; but they should have nothing from him. Upon this examination of lord Russel, in which his treating with the Scots was so positively charged on him, as a thing of which they were well assured, his lady desired me to see who this could be that had so charged him; but this appeared to be only an artifice to draw a confession from him. Cochran was gone; and Baillie was a close prisoner, and was very ill used: none were admitted to him. I sent to the keeper of the prison to let him want for nothing, and that I should see him paid. I also at his desire sent him books for his entertainment, for which I was threatened with a prison. I said, I was his nearest kinsman in the place, and this was only to do as I would be done by. From what I found among the Scots, I quieted the fears of lord Russel's friends.

Lord Howard was still going about, and protesting to every person he saw that there was no plot, and that he knew of none: yet he seemed to be under a consternation all the while. Lord Russel told me, he was with him when the news was brought that West had delivered himself, upon which he saw him change colour: and he asked him, if he apprehended any thing from him? He confessed, he had been as free with him as with any man. Hampden saw him afterwards under great fears: and upon that he wished him to go out of the way, if he thought there was matter against him, and if he had not a strength of mind to suffer any thing that might happen to him. The king spoke of him with such contempt, that it was not probable that he was all this while in correspondence with the court.

At last, four days before lord Russel's trial, he was taken in his own house after a long search; and was found standing up within a chimney. As soon as he was taken he fell a crying; and at his first examination he told, as he said, all that he knew. West and Rumsey had resolved only to charge some of the lower sort, but had not laid every thing so well together, but that they were found contradicting one another. So Rumsey charged West for concealing some things: upon which he was laid in irons, and was threatened with

\* The earl of Dartmouth, on the authority of Mr. Francis Gwin, secretary at war in queen Anne's time, says that the duchess of Monmouth declared that the whole story told by Burnet is false.—Oxford edition of this work.

being hanged : for three days he would eat nothing, and seemed resolved to starve himself, but nature overcame his resolutions ; and then he told all he knew, and perhaps more than he knew ; for I believe it was at this time that he wrote his narrative. And in that he told a new story of lord Howard, which was not very credible, that he thought the best way of killing the king and the duke, was for the duke of Monmouth to fall into Newmarket with a body of three or four hundred horse when they were all asleep, and so to take them all : as if it had been an easy matter to get such a body together, and to carry them thither invisibly upon so desperate a service. Upon lord Howard's examination, he told a long story of lord Shaftesbury's design of raising the city : he affirmed, that the duke of Monmouth had told him, how Trenchard had undertaken to bring a body of men from Taunton, but had failed in it : he confirmed that of a rising intended in the city on the seventeenth or the nineteenth of November last ; but he knew of nobody that was to be at the head of it. So this was looked on as only talk. But that which came more home was, that he owned there was a council of six settled, of which he himself was one ; and that they had several debates among them concerning an insurrection, and where it should begin, whether in the city or in the country ; but that they resolved to be first well informed concerning the state Scotland was in ; and that Sidney had sent Aaron Smith to Scotland, to bring him a sure information from thence, and that he gave him sixty guineas for his journey : more of that matter he did not know ; for he had gone out of town to the Bath, and to his estate in the country. During his absence the lords began to apprehend their error in trusting him : and upon it lord Essex said to lord Russel, as the last told me in prison, that the putting themselves in the power of such a man would be their reproach, as well as their ruin, for trusting a man of so ill a character : so they resolved to talk no more to him : but at his next coming to town they told him, they saw it was necessary at present to give over all consultations, and to be quiet : and after that they saw him very little. Hampden was upon lord Howard's discovery seized on : he, when examined, desired not to be pressed with questions ; so he was sent to the Tower.

A party of horse was sent to bring up lord Essex, who had stayed all this while at his house in the country ; and seemed so little apprehensive of danger, that his own lady did not imagine he had any concern on his mind. He was offered to be conveyed away very safely, but he would not stir. His tenderness for lord Russel was the cause of this ; for he thought his going out of the way might incline the jury to believe the evidence the more for his absconding. He seemed resolved, as soon as he saw how that went, to take care of himself. When the party came to bring him up, he was at first in some disorder, yet he recovered himself ; but when he came before the council, he was in much confusion. He was sent to the Tower ; and there he fell under a great depression of spirit : he could not sleep at all. He had fallen before that twice under great fits of the spleen, which returned now upon him with more violence. He sent by a servant, whom he had long trusted, and who was suffered to come to him, a very melancholy message to his wife ; that what he was charged with was true : he was sorry he had ruined her and her children ; but he had sent for the earl of Clarendon, to talk freely to him, who had married his sister. She immediately sent back the servant, to beg of him that he would not think of her or her children, but only study to support his own spirits ; and desired him to say nothing to lord Clarendon, nor to any body else, till she should come to him, which she was in hope to obtain leave to do in a day or two. Lord Clarendon came to him upon his message ; but he turned the matter so well to him, as if he had been only to explain somewhat, that he had mistaken himself in, when he was before the council : but as to that for which he was clapped up, he said there was nothing in it, and it would appear how innocent he was. So lord Clarendon went away in a great measure satisfied, as he himself told me. His lady had another message from him, that he was much calmer ; especially when he found how she took his condition to heart, without seeming concerned for her own share in it. He ordered many things to be sent to him ; and among other things he called at several times for a penknife, with which he used to pare his nails very nicely : so this was thought intended for an amusement : but it was not brought from his house in the country, though sent for. And when it did not come, he called for a razor, and said, that would do as well. The king and the duke came to the

Tower that morning, as was given out, to see some invention about the ordinance. As they were going into their barge, the cry came after them of what had happened to lord Essex ; for his man, thinking he staid longer than ordinary in his closet, said, he looked through the key-hole, and there saw him lying dead : upon which the door being broken open, he was found dead ; his throat cut, so that both the jugulars and the gullet were cut, a little above the *aspera arteria*. I shall afterwards give an account of the further inquiry into this matter, which passed then universally as done by himself. The coroner's jury found it self-murder. And when his body was brought home to his own house, and the wound was examined by his own surgeon, he said to me ; it was impossible the wound could be as it was, if given by any hand but his own : for, except he had cast his head back, and stretched up his neck all he could, the *aspera arteria* must have been cut. But to go on with this tragical day, in which I lost the two best friends I had in the world :

The lord Russel's trial was fixed for that day. A jury was returned that consisted of citizens of London who were not freeholders. So the first point argued in law was, whether this could be a legal jury. The statute was express : and the reason was, that none but men of certain estates might try a man upon his life. It was answered, that the practice of the city was to the contrary, upon the very reason of the law : for the richest men of the city were often no freeholders, but merchants whose wealth lay in their trade and stock. So this was overruled, and the jury was sworn. They were picked out with great care, being men of fair reputation in other respects, but so engaged in the party for the court, that they were easy to believe any thing on that side. Rumsey, Shepherd, and lord Howard were the witnesses, who deposed according to what was formerly related. Shepherd swore lord Russel was twice at his house, though he was never there but once. And when lord Russel sent him word after his sentence, that he forgave him all he had sworn against him, but that he must remember that he was never within his doors but one single time : to which all the answer Shepherd made was, that all the while he was in court during the trial, he was under such a confusion, that he scarce knew what he said. Both Rumsey and he swore, that lord Russel had expressed his consent to the seizing on the guards, though they did not swear any one word that he spoke which imported it : so that here a man was convicted of treason, for being present by accident, or for some innocent purpose, where treasonable matter was discoursed, without bearing a part in that discourse, or giving any assent by words or otherwise to what was so discoursed ; which at the most amounts to misprision, or concealment, of treason only. As lord Howard began his evidence, the news of the earl of Essex's death came to the court. Upon which lord Howard stopped, and said, he could not go on till he gave vent to his grief in some tears. He soon recovered himself, and told all his story. Lord Russel defended himself by many compurgators, who spoke very fully of his great worth, and that it was not likely he would engage in ill designs. Some others besides myself testified, how solemnly lord Howard had denied his knowledge of any plot, upon its first breaking out. Finch, the solicitor-general, said, no regard was to be had to that, for all witnesses denied at first. It was answered, if these denials had been only to a magistrate, or at an examination, it might be thought of less moment ; but such solemn denials, with asseverations, to friends, and officiously offered, shewed that such a witness was so bad a man, that no credit was due to his testimony. It was also urged that it was not sworn by any of the witnesses, that lord Russel had spoken any such words, or words to that effect : and without some such indication, it could not be known that he hearkened to the discourse, or consented to it. Lord Russel also asked, upon what statute he was tried : if upon the old statute of the twenty-fifth of Edward the Third, or if upon the statute made declaring what shall be held treason during the king's reign ? They could not rely on the last, because of the limitation of time in it : six months, and something more, were passed since the time of these discourses ; so they relied on the old statute. Upon which he asked, where was the overt act ? For none appeared. It was also said, that by that statute the very imagining the king's death, when proved by an overt act, was treason : but it was only the levying war, and not the imagining to levy war against the king, that was treason by that statute. Cook and Hale were of this opinion, and gave their reasons for it. And it seemed, that the parliament that passed the act of treason during the present reign were of that mind ; for they



enumerated consultations to raise war among those things which were declared to be treason during that reign: this shewed that they did not look on them as comprehended within the old statute. The king's counsel pretended, that consultations to seize on the guards were an overt act of a design against the king's person. But those forces that have got the designation of guards appropriated to them, are not the king's guards in law: they are not so much as allowed of by law: for even the lately dissolved long parliament, that was so careful of the king, and so kind to him, would never take notice of the king's forces, much less call them his guards. The guards were only a company of men in the king's pay; so that a design to seize on them amounted to no more, than to a design to seize on a part of the king's army. But the word guards sounded so like a security to the king's person, that the design against them was constructed a design against his life: and yet none of the witnesses spoke of any design against the king's person. Lord Howard swore positively, that they had no such design. Yet the one was constructed to be the natural consequence of the other. So that after all the declaiming against a constructive treason in the case of lord Strafford, the court was always running into it, when they had a mind to destroy any that stood in their way. Lord Russel desired, that his counsel might be heard to this point of seizing the guards; but that was denied, unless he would confess the fact: and he would not do that, because, as the witnesses had sworn it, it was false. He once intended to have related the whole fact, just as it was; but his counsel advised him against it. Some of his friends were for it, who thought that it could amount to no more than a concealment and misprision of treason. Yet the counsel distinguished between a bare knowledge, and a concealing that, and a joining designedly in council with men that did design treason; for in that case, though a man should differ in opinion from a treasonable proposition, yet his mixing in council with such men will in law make him a traitor. Lord Russel spoke but little: yet in few words he touched on all the material points of law that had been suggested to him. Finch summed up the evidence against him; but in that, and in several other trials afterwards, he shewed more of a vicious eloquence, in turning matters with some subtlety against the prisoners, than of solid or sincere reasoning. Jefferies would shew his zeal, and speak after him; but it was only an insolent declamation, such as all his were, full of fury and indecent invectives. Pemberton was the head of the court, the other bench not being yet filled. He summed up the evidence at first very fairly; but in conclusion he told the jury, that a design to seize the guards was surely a design against the king's life. But though he struck upon this, which was the main point, yet it was thought that his stating the whole matter with so little eagerness against lord Russel, was that which lost him his place; for he was turned out soon after. Lord Russel's behaviour during the trial was decent and composed: so that he seemed very little concerned in the issue of the matter. He was a man of so much candour, that he spoke little as to the fact: for since he was advised not to tell the whole truth, he could not speak against that which he knew to be true, though in some particulars it had been carried beyond the truth. But he was not allowed to make the difference: so he left that wholly to the jury, who brought in their verdict against him, upon which he received sentence.

He then composed himself to die with great seriousness. He said he was sure the day of his trial was more uneasy to him than that of his execution would be. All possible methods were used to have saved his life. Money was offered to the lady Portsmouth, and to all that had credit, and that without measure. He was pressed to send petitions and submissions to the king, and to the duke; but he left it to his friends to consider how far these might go, and how they were to be worded. All he was brought to was to offer to live beyond sea in any place that the king should name, and never to meddle any more in English affairs. But all was in vain; both king and duke were fixed in their resolutions; but with this difference, as lord Rochester afterwards told me, that the duke suffered some, among whom he was one, to argue the point with him, but the king could not bear the discourse. Some have said, that the duke moved that he might be executed in Southampton-square, before his own house, but that the king rejected that as indecent. So Lincoln's-inn-fields was the place appointed for his execution. The last week of his life he was shut up all the mornings, as he himself desired; and about noon I came to him, and stayed with him till

night. All the while he expressed a very Christian temper, without sharpness or resentment, vanity or affectation. His whole behaviour looked like a triumph over death. Upon some occasions, as at table, or when his friends came to see him, he was decently cheerful. I was by him when the sheriffs came to show him the warrant for his execution. He read it with indifference; and when they were gone, he told me it was not decent to be merry with such a matter, otherwise he was near telling Rich (who, though he was now of the other side, yet had been a member of the house of commons, and had voted for the exclusion), that they should never sit together in that house any more to vote for the bill of exclusion. The day before his death he fell a bleeding at the nose; upon that he said to me pleasantly, "I shall not now let blood to divert this, that will be done to-morrow." At night it rained hard, and he said, such a rain to-morrow will spoil a great show, which was a dull thing on a rainy day. He said, the sins of his youth lay heavy upon his mind; but he hoped God had forgiven them, for he was sure he had forsaken them, and for many years he had walked before God with a sincere heart; if in his public actings he had committed errors, they were only the errors of his understanding, for he had no private ends, nor ill designs of his own in them. He was still of opinion that the king was limited by law, and that when he broke through those limits his subjects might defend themselves, and restrain him. He thought a violent death was a very desirable way of ending one's life; it was only the being exposed to be a little gazed at, and to suffer the pain of one minute, which, he was confident, was not equal to the pain of drawing a tooth. He said he felt none of those transports that some good people felt; but he had a full calm in his mind, no palpitation at heart, nor trembling at the thoughts of death. He was much concerned at the cloud that seemed to be now over his country; but he hoped his death should do more service than his life could have done.

This was the substance of the discourse between him and me. Tillotson was oft with him that last week. We thought the party had gone too quick in their consultations, and too far; and that resistance in the condition we were then in was not lawful. He said he had not leisure to enter into discourses of politics; but he thought a government limited by law was only a name, if the subjects might not maintain those limitations by force; otherwise all was at the discretion of the prince; that was contrary to all the notions he had lived in of our government. But he said there was nothing among them but the embryos of things that were never like to have any effect, and that were now quite dissolved. He thought it was necessary for him to leave a paper behind him at his death; and because he had not been accustomed to draw such papers, he desired me to give him a scheme of the heads fit to be spoken to, and of the order in which they should be laid, which I did. And he was three days employed for some time in the morning to write out his speech. He ordered four copies to be made of it, all which he signed; and gave the original with three of the copies to his lady, and kept the other to give to the sheriffs on the scaffold. He wrote it with great care; and the passages that were tender he wrote in papers apart, and showed them to his lady and to myself before he wrote them out fair. He was very easy when this was ended. He also wrote a letter to the king, in which he asked pardon for everything he had said, or done, contrary to his duty, protesting he was innocent as to all designs against his person or government, and that his heart was ever devoted to that which he thought was his true interest. He added, that though he thought he had met with hard measure, yet he forgave all concerned in it, from the highest to the lowest; and ended, hoping that his majesty's displeasure at him would cease with his own life, and that no part of it should fall on his wife and children. The day before his death he received the sacrament from Tillotson, with much devotion. And I preached two short sermons to him, which he heard with great affection. And we were shut up till towards the evening. Then he suffered his children that were very young, and some few of his friends, to take leave of him; in which he maintained his constancy of temper, though he was a very fond father. He also parted with his lady with a composed silence; and, as soon as she was gone, he said to me, "The bitterness of death is past;" for he loved and esteemed her beyond expression, as she well deserved it in all respects. She had the command of herself so much, that at parting she gave him no disturbance. He went into his chamber about midnight, and I

stayed all night in the outward room. He went not to bed till about two in the morning, and was fast asleep till four, when, according to his order, we called him. He was quickly dressed, but would lose no time in shaving; for he said he was not concerned in his good looks that day.

He was not ill pleased with the account he heard that morning of the manner of Walcot's death, who, together with one Hone and Rowse, had suffered the day before. These were condemned upon the evidence of the witnesses. Rumsey and West swore fully against Walcot; he had also written a letter to the secretary, offering to make discoveries, in which he said the plot was laid deep and wide. Walcot denied at his death the whole business of the Rye-plot, and of his undertaking to fight the guards while others should kill the king. He said West had often spoken of it to him in the phrase of lopping; and that he always said he would not meddle in it, and that he looked on it as an infamous thing, and as that which the duke of Monmouth would certainly revenge; though West assured him that duke had engaged under his hand to consent to it. This confession of Walcot's, as it showed himself very guilty, so it made West appear so black, that the court made no more use of him. Hone, a poor tradesman in London, who it seems had some heat but scarce any sense in him, was drawn in by Keeling, and Lee, another witness, who was also brought in by Keeling to a very wild thing of killing the king but sparing the duke, upon this conceit, that we would be in less danger in being under a professed papist than under the king. Hone had promised to serve in the execution of it, but neither knew when, where, nor how, it was to be done; so, though he seemed fitter for a Bedlam than a trial, yet he was tried the day before the lord Russel, and suffered with the others the day before him. He confessed his own guilt, but said these who witnessed against him had engaged him in that design, for which they now charged him; but he knew nothing of any other persons besides himself and the two witnesses. The third was one Rowse, who had belonged to Player, the chamberlain of London; against whom Lee and Keeling swore the same things. He was more affected with a sense of the heat and fury, with which he had been actuated, than the others were; but he denied that he was ever in any design against the king's life. He said the witnesses had let fall many wicked things of that matter in discourse with him, so that he was resolved to discover them, and was only waiting till he could find out the bottom of their designs; but that now they had prevented him. He vindicated all his acquaintance from being any way concerned in the matter, or from approving such designs. These men dying as they did was such a disgrace to the witnesses, that the court saw it was not fit to make any further use of them. Great use was made of the conjunction of these two plots, one for a rising, and another for an assassination. It was said, that the one was that which gave the heart and hope to the other black conspiracy, by which they were over all England blended together as a plot within a plot, which cast a great load on the whole party.

Lord Russel seemed to have some satisfaction to find that there was no truth in the whole contrivance of the Rye-plot, so that he hoped that infamy, which now blasted their party, would soon go off. He went into his chamber six or seven times in the morning and prayed by himself, and then came out to Tillotson and me. He drank a little tea and some sherry. He wound up his watch, and said, now he had done with time and was going to eternity. He asked what he should give the executioner; I told him ten guineas. He said, with a smile, it was a pretty thing to give a fee to have his head cut off. When the sheriffs called him about ten o'clock, lord Cavendish was waiting below to take leave of him. They embraced very tenderly. Lord Russel, after he had left him, upon a sudden thought came back to him, and pressed him earnestly to apply himself more to religion; and told him what great comfort and support he felt from it now in his extremity. Lord Cavendish had very generously offered to manage his escape, and to stay in prison for him while he should go away in his clothes; but he would not hearken to the motion. The duke of Monmouth had also sent me word to let him know, that if he thought it could do him any service, he would come in, and run fortunes with him. He answered, it would be of no advantage to him to have his friends die with him. Tillotson and I went in the coach with him to the place of execution. Some of the crowd that filled the streets wept, while others insulted; he was touched with a tenderness that the one gave him, but did not seem at all provoked by the



other. He was singing psalms a great part of the way, and said he hoped to sing better very soon. As he observed the great crowds of people all the way, he said to us, "I hope I shall quickly see a much better assembly." When he came to the scaffold he walked about it four or five times; then he turned to the sheriffs and delivered his paper. He protested he had always been far from any designs against the king's life or government. He prayed God would preserve both, and the protestant religion. He wished all protestants might love one another, and not make way for popery by their animosities.

The substance of the paper he gave them was, first a profession of his religion, and of his sincerity in it; that he was of the church of England; but wished all would unite together against the common enemy; that churchmen would be less severe, and dissenters less scrupulous. He owned he had a great zeal against popery, which he looked on as an idolatrous and bloody religion; but that though he was at all times ready to venture his life for his religion or his country, yet that would never have carried him to a black or wicked design. No man ever had the impudence to move to him anything with relation to the king's life; he prayed heartily for him, that in his person and government he might be happy, both in this world and in the next. He protested that in the prosecution of the popish plot he had gone on in the sincerity of his heart, and that he never knew of any practice with the witnesses. He owned he had been earnest in the matter of the exclusion, as the best way in his opinion to secure both the king's life and the protestant religion; and to that he imputed his present sufferings; but he forgave all concerned in them, and charged his friends to think of no revenges. He thought his sentence was hard; upon which he gave an account of all that had passed at Shepherd's. From the heats that appeared in choosing the sheriffs he concluded that this matter would end as it now did, and he was not much surprised to find it fall upon himself; he wished it might end in him; killing by forms of law was the worst sort of murder. He concluded with some very devout ejaculations. After he had delivered this paper he prayed by himself. Then Tillotson prayed with him. After that he prayed again by himself; and then undressed himself and laid his head on the block, without the least change of countenance, and it was cut off at two strokes\*.

This was the end of that great and good man: on which I have enlarged perhaps too copiously; but the great esteem I had for him, and the share I had in this matter, will, I hope, excuse it. His speech was so soon printed, that it was selling about the streets an hour after his death; upon which the court was highly inflamed. So Tillotson and I were appointed to appear before the cabinet council. Tillotson had little to say, but only that lord Russel had showed him his speech the day before he suffered; and that he spoke to him, what he thought was incumbent on him, upon some parts of it, but he was not disposed to alter it. I was longer before them. I saw they apprehended I had penned the speech. I told the king that at his lady's desire I wrote down a very particular journal of every passage, great and small, that had happened during my attendance on him; I had just ended it, as I received my summons to attend his majesty; so, if he commanded me, I would read it to him; which upon his command I did. I saw they were all astonished at the many extraordinary things in it: the most important of them are set down in the former relation. The lord-keeper asked me if I intended to print that. I said it was only intended

\* The outlines of the life and character of lord Russel have been given in a previous page, and but few remarks need be made upon his trial and execution. The struggle was now wearing a sterner and more determined aspect, that was to decide whether the king or the people were to be the chief sources of political power—every meeting of parliament had warned the former, if he resolved to persevere in aiming at despotism, it must be obtained by pursuing a bloody path. It was determined to proceed—and sheriffs were culled, juries packed, and unprincipled judges raised to the bench, to aid the butchery of the free-spirited—by disguising murder with a legal habit. It mattered little that the evidence against lord Russel was deficient of that required by the statute to convict of treason—if it had been still more imperfect it would have

ended in the same tragedy—his conviction was resolved before he was brought to the bar. This he himself had foreseen—he knew that he was marked as the supporter of popular freedom, and that he was to be slaughtered as a terror to his party. This was confessed by the duke of York, when the earl of Dartmouth warned him that the taking of Russel's life would never be forgiven by a numerous and great family, who, on the other hand, would be bound to him, if the delinquent was pardoned; and that some regard was due to lord Southampton's daughter and her children. The duke replied, "All that is true; but it is as true, that if I do not take his life he will soon have mine."—(Dalrymple's Memoirs, Append. ii. 59.) If the duke had not resolved to be a tyrant, he need not have feared lord Russel.

for his lady's private use\*. The lord-keeper, seeing the king silent, added, "You are not to think the king is pleased with this, because he says nothing." This was very mean. He then asked me if I had not studied to dissuade the lord Russel from putting many things in his speech. I said I had discharged my conscience to him very freely in every particular; but he was now gone, so it was impossible to know, if I should tell anything of what had passed between us, whether it was true or false; I desired therefore to be excused. The duke asked me if he had said anything to me in confession. I answered, that if he had said anything to me in confidence, that was enough to restrain me from speaking of it. Only I offered to take my oath, that the speech was penned by himself, and not by me. The duke, upon all that passed in this examination, expressed himself so highly offended at me, that it was concluded I would be ruined. Lord Halifax sent me word, that the duke looked on my reading the journal as a studied thing, to make a panegyric on lord Russel's memory. Many pamphlets were written on that occasion; and I was heavily charged in them all, as the adviser, if not the author, of the speech. But I was advised by all my friends to write no answer, but to bear the malice that was vented upon me with silence; which I resolved to do.

At this time, prince George of Denmark came into England to marry the duke's second daughter. The prince of Hanover had come over two years before to make addresses to her; but he was scarcely got hither, when he received orders from his father not to proceed in that design; for he had agreed a match for him with his brother, the duke of Zell, for his daughter, which did at that time more accommodate the family. The marriage that was now made with the brother of Denmark did not at all please the nation; for we knew that the proposition came from France. So it was apprehended, that both courts reckoned they were sure that he would change his religion; in which we have seen, since that time, that our fears were ill grounded. He has lived in all respects the happiest with his princess that was possible, except in one particular; for though there was a child born every year for many years, yet they have all died; so that the most fruitful marriage that has been known in our age has been fatally blasted as to the effect of it.

The affairs abroad were now everywhere in a great fermentation. The emperor had governed Hungary so strangely, as at once to persecute the protestants and to oppress the papists in their liberties, which disposed both to rebel; upon which the malcontents were now in arms, and had possessed themselves of several places in the upper Hungary: which being near Poland, they were managed and assisted by the French ministers in that kingdom, in which the cardinal of Fourbin was the chief instrument. But they not being able to maintain themselves against the emperor's whole force, Tekeli, who was set at their head, offered all submissions to the Turk, and begged his protection. Upon this that great war

\* Those who would convert us to the opinion that woman is man's intellectual inferior, must first make us forget that a lady Croke, a countess of Derby, a lady Bankes, and lady Rachael Russel, lived as contemporaries—to say nothing of a galaxy that may be traced through every other period of our history, from Boadicea downwards. Education and the rules of society throw man more customarily forward in active life, but no one's experience, perhaps, can justify him in saying that he has oftener seen women fail in rising equal to the exertions required, than those whom they submit to as their superiors and love as their guardians. Lady Russel was one of those who never failed in the hour of extraordinary effort. She cheered her patriot husband during the confinement preceding his trial, and at that trying period she did not forsake him. When the court informed him he might have a clerk to take notes of the evidence, he must have felt strengthened, as he was enabled to reply, "My lords, my wife is here." She was there—and to her dying hour might feel consolation in reflecting that she thus aided him in his time of extremest need. It was not insensibility, it was not the love of display, that made her thus act; but that firmness of mind, that forgetfulness of self, which enables those who cherish virtuous emotions to do

their duty. No—Rachael Russel was not a maudlin sentimentalist, who could only weep for those she loved, but a true woman, who exerted herself as long as she could be useful in the cause of him whom she loved the most entirely in this world. Even in that time, when the sternest heart might be forgiven for failing—when the last embrace and the last look were to be exchanged—she did not add to her husband's agony by a fruitless outpouring of grief; she parted from him silently. But when all was over, then did she give vent to the natural sorrow of her heart, and her blindness was attributed to her almost incessant weeping. Reason, however, triumphed at last, and she lived to devote herself to her three children. "Her ladyship's letters, which have been published, are a compound of resigned piety, never-ceasing grief, strong sense, and true patriotism, with strict attention to all domestic duties. She lived to the age of eighty-seven, revered almost as a saint herself, and venerated as the relict of the martyr to liberty and the constitution." She was born in 1636, the second daughter of Wriothesley, earl of Southampton. Her first husband was lord Vaughan, son of the earl of Carberry. She died on the 29th of September, 1723.—Grainger.

broke out, all set on by the practices of the king of France ; who, while he was persecuting the protestants in his own kingdom, was at the same time encouraging the rebellion of Hungary, and drawing the Turk into Christendom. I need not enlarge further on a matter so well known as the siege of Vienna ; which, if it had been as well prosecuted as it was first undertaken, the town would have been certainly taken, and with that the emperor and his family ruined. The king of France drew a great army together near the frontier of Germany, and seemed to depend upon it that the town would be taken, and that he would be called in by the princes of Germany to protect them, and upon that have been chosen emperor. He at the same time sent Humieres with an army into Flanders, upon a pretension to Alost, that would have seemed very strange in any other court but that. He had once possessed himself, during the war, of Alost ; but afterwards he drew his troops out of it. So it not being in his hands when the peace of Nimeguen was made, no mention was made of restoring it. But now it was said that, it being once in the king's hands by the right of his arms, it was still his, since he had not expressly renounced it ; therefore he now demanded it, or to have Luxembourg given him as an equivalent for it. Humieres finding no resistance in the Spanish Netherlands, destroyed and ruined the country beyond anything it had felt during the whole war. This was the state of affairs abroad at the time of these trials.

All people thought we should see a parliament presently called, from which both the king and the duke might have expected everything that they could desire ; for the body of the nation was yet so possessed with the belief of the plot, that probably all elections would have gone as the court directed, and scarcely any of the other party would have had the courage to have stood for an election any where. But the king of France began to apprehend that the king might grow so much the master at home, that he would be no longer in their management ; and they foresaw that, what success soever the king might have in a parliament with relation to his own affairs, it was not to be imagined but that a house of commons, at the same time that they showed their submission to the king, would both enable him to resist the progress of the French arms, and address to him to enter into alliances with the Spaniards and the States. So the French made use of all their instruments to divert our court from calling a parliament, and they got the king to consent to their possessing themselves of Luxembourg ; for which, I was told, they gave him 300,000*l*. But I have no certainty of that. Lord Montague told me of it, and seemed to believe it ; and lady Portsmouth valued herself on this of Luxembourg as gained by her, and called it the last service she did the court of France\*.

At this time I went over into France, chiefly to be out of the way, when I was fallen on almost in every libel ; for new sets of addresses were now running about the nation, with more heat and swelled eloquence in them than the former ones : in all which the providential fire of Newmarket was set off with great pomp. And in many of them there were hard things said of lord Russel and his speech, with insinuations that looked towards me.

In France, Rouvigny, who was the lady Russel's uncle, studied to get me to be much visited and known. There my acquaintance with marshal Schomberg began ; and by him I was acquainted with marshal Bellefonds, who was a devout man, but very weak. He read the Scriptures much, and seemed to practice the virtues of the desert in the midst of that court. I knew the archbishop of Rheims, who was a rough, boisterous man ; he seemed to have good notions of the episcopal duty, in all things except that of the setting a good example to his clergy ; for he allowed himself in liberties of all kinds. The duke of Montausier was a pattern of virtue and sincerity, if not too cynical in it. He was so far from flattering the king, as all the rest did most abjectly, that he could not hold from contradicting him, as often as there was occasion for it. And for that reason chiefly the king made him the dauphin's governor : to which, he told me, he had applied himself with great care, though, he very frankly added, without success. The exterior of the king was very solemn ; the

\* Barillon writing, December 1st, 1681, to Louis the Fourteenth, from whom he was ambassador to England, says, "After much bargaining, the king (Charles) has agreed to allow our seizure of Luxembourg, in consideration of our paying him a million livres," (not 30,000*l*.)

—(Dalrymple's *Memoirs*, Append. 31.) According to this authority Barillon made the bargain with Charles in person. Barillon represents Montague in the blackest light as a traitor to his country.



first time I happened to see him was when the news came of the raising the siege of Vienna, with which, Schomberg told me, he was much struck, for he did not look for it. While I was at court, which was only for four or five days, one of the king's coaches was sent to wait on me, and the king ordered me to be well treated by all about him, which upon that was done, with a great profusion of extraordinary respects; at which all people stood amazed. Some thought it was to encourage the side against the court, by this treatment of one then in disgrace. Others more probably thought, that the king, hearing I was a writer of history, had a mind to engage me to write on his side. I was told a pension would be offered me. But I made no steps towards it; for though I was offered an audience of the king, I excused it, since I could not have the honour to be presented to that king by the minister of England\*. I saw the prince of Condé but once, though he intended to see me oftener. He had a great quickness of apprehension, and was thought the best judge in France both of wit and learning. He had read my history of the Reformation, that was then translated into French, and seemed pleased with it. So were many of the great lawyers; in particular, Harlay, then attorney-general, and now first president of the court of parliament of Paris. The contests with Rome were then very high; for the assembly of the clergy had passed some articles very derogatory to the papal authority. So many fancied that matter might go to a rupture; and Harlay said very publicly that, if that should happen, I had laid before them a good plan to copy from.

Bellefonds had so good an opinion of me, that he thought instances of devotion might have some effect on me; so he made the duchess La Valiere think that she might be an instrument in converting me; and he brought a message from her, desiring me to come to the grate to her. I was twice there; and she told me the steps of her conversion, and of her coming into that strict order of the Carmelites, with great humility, and much devotion. Treville, one of the duchess of Orleans's admirers, was so struck with her death, that he had lived in retreat from that time, and was but newly come to appear again. He had great knowledge, with a true sense of religion; he seemed to groan under many of the corruptions of their church. He, and some others whom I knew of the Sorbon, chiefly Faur, Pique, and Brayer, seemed to think that almost everything among them was out of order, and wished for a regular reformation; but their notion of the unity of the church kept them still in a communion that they seemed uneasy in. And they said very freely, they wondered how any one, that was once out of their communion, should desire to come back into it. They were generally learned only in one point; Faur was the best read in ecclesiastical history of any man I saw among them; and I never knew any of that church that understood the Scriptures so well as Pique. They declared themselves for abolishing the papal authority, and for reducing the pope to the old primacy again. They spoke to me of the bishops of France, as men that were both vicious and ignorant; they seemed now to be against the pope; but it was only because he was in the interests of the house of Austria; for they would declare him infallible the next day after he should turn to the interest of France. So they expected no good, neither from the court nor from the clergy. I saw St. Amour, the author of the journal of what passed at Rome, in the condemnation of the five propositions of Jansenius. He seemed to be a sincere and worthy man, who had more judgment than either quickness or learning. He told me, his whole life had been one campaign against the Jesuits; and spoke of them as the great plague of the church. He lamented also that sharpness of style with which his friend Arnauld treated the protestants; for which, he said, both he and all his friends blamed him. I was carried by a bishop to the Jesuits at St. Anthony's. There I saw P. Bourdaloue, esteemed one of the greatest preachers of the age, and one of the honours of his order. He was a man of a sweet temper, not at all violent against protestants; on the contrary, he believed good men among them might be saved, which was a pitch of

\* The reason for his being well received by the French monarch, whilst Mr. Montague was treated but coolly, was considered, by the earl of Dartmouth, to arise from our author having flattered Louis in his work, "The History of the Rights of Princes;" but lord Preston, our then ambassador at Paris, thought it proceeded from a

belief that the doctor was influential with the discontented party in England; and Mr. Montague had required money, which was then not very abundant in the French coffers.—Dalrymple's *Memoirs*, Appendix, 80; Oxford ed. of this work.

charity that I had never observed in any of the learned of that communion. I was also once with P. de la Chaise, the king's confessor, who was a dry man. He told me how great a man they would make me, if I would come over to them.

This was my acquaintance on the popish side. I say little of the protestants. They came all to me; so I was well known among them. The method that carried over the men of the finest parts among them to popery was this: they brought themselves to doubt of the whole Christian religion; when that was once done, it seemed a more indifferent thing of what side, or form, they continued to be outwardly. The base practices of buying many over with pensions, and of driving others over with perpetual ill usage, and acts of the highest injustice and violence, and the vile artifices in bringing on and carrying so many processes against most of their churches, as not comprehended within the edict of Nantes, were a reproach both to the greatness of their king and to the justice of their courts. Many new edicts were coming out every day against them, which contradicted the edict of Nantes in the most express words possible; and yet to all these a strange clause was added, that the king did not intend by them to recal, nor to go against any article of the edict of Nantes, which he would maintain inviolable. I knew Spanheim particularly, who was envoy from the elector of Brandenburg, who is the greatest critic of the age in all ancient learning, and is with that a very able man in all affairs, and a frank, cheerful man: qualities that do not always meet in very learned men. After a few months' stay I returned, and found both the king and duke were highly offended at the reception I had met with in France. They did not know what to make of it, and fancied there was something hid under it.

The addresses had now gone round England. The grand juries made after that high presentments against all that were esteemed whigs and nonconformists. Great pains were taken to find out more witnesses. Pardons and rewards were offered very freely. But none came in; which made it evident, that nothing was so well laid, or brought so near execution, as the witnesses had deposed; otherwise people would have been crowding in for pardons. All people were apprehensive of very black designs, when they saw Jeffreys made lord chief justice, who was scandalously vicious, and was drunk every day; besides a drunkenness of fury in his temper, that looked like enthusiasm. He did not consider the decencies of his post; nor did he so much as affect to seem impartial, as became a judge, but ran out upon all occasions into declamations, that did not become the bar, much less the bench. He was not learned in his profession; and his eloquence, though viciously copious, yet was neither correct nor agreeable\*. Pemberton was turned out of the common pleas, and Jones was put in his place; and Jeffreys had three judges joined with him in the king's bench fit to sit by him.

\* George Jeffreys was a native of Acton, in Denbighshire; passing through various grades of his education at Shrewsbury, Westminster, and the Inner Temple. He was never regularly admitted to the degree of barrister; but being at Kingston whilst the assizes were proceeding, in the year 1666, the plague had so thinned the attendance of counsellors that he was persuaded to plead, and he continued to practice without interruption. He was soon after chosen recorder of London, then a Welch judge, and, in 1680, chief-justice of Chester. The following year he was made a baronet, and, in 1683, chief-justice of the king's bench, as mentioned in the text. The other passages of his life will be noticed in future pages. To animadvert upon the brutality of Jeffreys is superfluous—every historian confesses that a more cruel minister of justice never scourged a people. For proofs of his rabid fury, both as a counsel and as a judge, the pages of the State Trials may be referred to. Alluding to his conduct at the bar, Somers says, "The law intends that every man shall be exactly just in their several employments, relating to the execution of justice. The serjeant of the king's counsel, sir George Jeffreys, among the rest who prosecute in the king's name, and are consulted in the forming bills of indictment, &c. these, if they would remember it, take an oath 'as well and truly to serve the people,'

whereof the accused is one, 'as the king himself; and to minister the king's matters duly and truly after the course of law, and their cunning: not to use their cunning and craft to hide the truth and destroy the accused if they can.'—*The Security of Englishmen's Lives*, p. 72.

Mr. Fox was wrong in remarking that Charles the Second appointed a fitting tool, when he raised Jeffreys to the chief-justiceship; for it is a matter of history, that Charles really objected to him: once saying of him, that "He had neither learning, law, nor good manners, but more impudence than ten carted whores." And the earl of Sunderland, writing to the earl of Rochester in March, 1683, says, "I spoke to the king of Jeffreys, but I found him very much unresolved, and full of objections against him, as that all the judges would be unsatisfied if he were so advanced, and that he had not law enough."—*Singer's Clarendon Corr.* i. 83.

Lord Delamere, who was tried and acquitted before Jeffreys, when chief-justice of Chester, on a charge of high treason, founded upon suspicion of his intending to raise a rebellion in that county in aid of Monmouth, said, "Our chief-justice, sir George Jeffreys, behaves himself more like a jack-pudding than a judge. He was mighty witty upon the prisoners at the bar; he was very full of his jokes upon people that came to give evidence, not suffering them to

The king sent a new message to the city of London, requiring the common council to deliver up their charter, threatening them, that otherwise he would order the judgment to be entered. Upon this a great debate arose among them. Some were for their compliance, that they might prevent the prejudice that would otherwise arise. On the other hand it was said, that all freemen took an oath to maintain the rights of their corporation; so that it was perjury in them to betray these. They said it was better to leave the matter to the king, than by any act of their own to deliver all up. So it was carried not to do it by a few voices. Upon that the judgment was entered; and the king seized on their liberties. Many of the aldermen and other officers were turned out, and others were put in their places. So they continued for some time a city without a charter, or a common council, and the king named the magistrates. New charters were sent to most of the corporations, in which the king reserved a power to himself, to turn out magistrates at his pleasure. This was done to make all sure for a new election of parliament, which came now under consideration.

There was a clause in the act that repealed the triennial bill, which had passed in the beginning of the troubles, whereby it was enacted that a parliament should meet every third year; but it had none of those enforcing clauses, in case it did not meet, that were in the other act; and the third year from the parliament of Oxford was now near an end. So, since the king had declared he would govern according to law, and in particular that he would have frequent parliaments, for which he had special thanks given him in many of the addresses, it was proposed that a parliament should be called. A war seemed likely to break out in Flanders, where the Spaniards, how ill soever they were prepared for it, had declared war, upon the French troops possessing themselves of Dixmuyd and Courtray. The prince of Orange was pressing the States to go into a new war, rather than let Luxemburg be taken. But this was much opposed by the town of Amsterdam. The calling a new parliament here, and England's engaging, as all believed they might do, would be an effectual restraint on the French. But the king had consented to let Luxemburg fall into their hands; so it was apprehended that the parliament might fall upon that, which was the only point that could occasion any difference between the king and them. It was also said, that it was fit all the charters should be first brought in, and all the corporations new modelled, before the parliament should be called. The prerogative lawyers pretended that the prerogative was indeed limited by negative and prohibiting words, but not by affirmative words. Lord Halifax told me he pressed this all he could; but there was a French interest working strongly against it: so the thoughts of a parliament at that time were laid aside. The Scotch prisoners were ordered to be sent down to be tried in Scotland. This was sad news to them; for the boots there are a severe torture. Baillie had reason to expect the worst usage: he was carried to Newgate in the morning that lord Russel was tried, to see if he could be persuaded to be a witness against him. Everything that could work on him was made use of, but all in vain: so they were resolved to use him severely.

I passed slightly over the suspicions that were raised upon lord Essex's death, when I mentioned that matter. This winter the business was brought to a trial. A boy and a girl did report that they heard great crying in his lodgings, and that they saw a bloody razor flung out at a window, which was taken up by a woman that came out of the house where he was lodged. These children reported this confidently that very day, when they went to their several homes: they were both about ten or twelve years old. The boy went backward and forward in his story, sometimes affirming it, and at other times denying it; but his father had an office in the custom house: so it was thought he prevailed with him to deny it in open court. But the girl stood firmly to her story. The simplicity of the children, together with the ill opinion that was generally had of the court, inclined many to

declare what they had to say in their own way and method." He then proceeds to animadvert upon his drunken habits and arbitrary conduct.—*Lord Delamere's Works*, 142. See also *Reresby's Memoirs*.

The earl of Dartmouth relates, that he has heard sir J. Jekyl, master of the rolls, say, that Jeffreys had a good knowledge of the law. The earl adds, "He had likewise

great parts, and made a great chancellor in the business of that court. In mere private matters, he was thought an able and upright judge, wherever he sat; but when the crown, or his party, were concerned, he was generally as Burnet represents him."—*Oxford ed. of this work*.

A very interesting and temperate "*Life of Lord Jeffreys*" was published by Mr. Woolrych, in 1827.



believe this. As soon as his lady heard of it, she ordered a strict inquiry to be made about it; and sent what she found to me, to whom she had trusted all the messages, that had passed between her lord and her, while he was in the Tower. When I perused all, I thought there was not a colour to found any prosecution on; which she would have done with all possible zeal, if she had found any appearances of truth in the matter. Lord Essex had got into an odd set of extraordinary principles; and in particular he thought a man was the master of his own life; and seemed to approve of what his wife's great grandfather, the earl of Northumberland, did, who shot himself in the Tower after he was arraigned. He had also very black fits of the spleen. But at that time one Braddon, whom I had known for some years for an honest but enthusiastical man, hearing of these stories, resolved to carry the matter as far as it would go; and he had picked up a great variety of little circumstances, all which laid together seemed to him so convincing, that he thought he was bound to prosecute the matter. I desired him to come no more near me, since he was so positive. He talked of the matter so publicly, that he was taken up for spreading false news, to alienate people's hearts from the king. He was tried upon it. Both the children owned that they had reported the matter as he had talked it; the boy saying then that it was a lie. Braddon had desired the boy to set it all under his hand, though with that he charged him to write nothing but the truth. This was called a suborning; and he was fined for it in 2000l.\* But I go next to a trial of more importance.

Howard was the only evidence against the prisoners of better rank; for they had no communication with the other witnesses. So other things were to be found out as supplements to support it. Sidney was next brought to his trial. A jury was returned, consisting for most part of very mean persons. Men's pulses were tried beforehand, to see how tractable they would be. One Parry, a violent man, guilty of several murders, was not only pardoned, but was now made a justice of peace, for his officious meddling and violence. He told one of the duke's servants, thinking that such a one was certainly of their party, that he had sent in a great many names of jurors, who were sure men. That person told me this himself. Sidney excepted to their not being freeholders. But Jeffreys said that had been overruled in lord Russel's case; and therefore he overruled it; and would not so much as suffer Sidney to read the statute. This was one of his bold strains. Lord Russel was tried at the Old Bailey, where the jury consisted of Londoners; and there indeed the contrary practice had prevailed upon the reason before mentioned; for the merchants are supposed to be rich. But this trial was in Middlesex, where the contrary practice had not prevailed; for in a county a man who is no freeholder is supposed to be poor. But Jeffreys said, on another occasion, why might not they make precedents to the succeeding times, as well as those who had gone before them had made precedents for them? The witnesses of the other parts of the plot were now brought out again to make a show; for they knew nothing of Sidney: only they said, that they had heard of a council of six, and that he was one of them. Yet even in that they contradicted one another: Rumsey swearing that he had it from West, and West swearing that he had it from him: which was not observed till the trial came out. If it had been observed sooner, perhaps Jeffreys would have ordered it to be struck out; as he did all that Sidney had objected upon the point of the jury, because they were not freeholders. Howard gave his evidence, with a preface that had become a pleader better than a witness. He observed the uniformity of truth, and that all the parts of his evidence and theirs met together as two tallies. After this a book was produced, which Sidney had been

\* Braddon published a "Narrative," which is worth perusing; as also are the "Letters" and "Life" of the nobleman to which it relates, which are not at all rare books.

A very curious circumstance, mentioned by the editor of "Grey's Debates," seems to confirm the suspicion that the earl was murdered by his servant, instigated by the ruling powers. "Harry Guy was then secretary to the treasury, and a sure agent to the king or duke, if any dirty work was to be done. He paid and dispersed the secret-service money; of which payments he kept a regular account in a book which is still extant, and now is

(1762), or lately was, in the possession of a gentleman at Chelsea, who made no scruple of showing it to particular persons. In this book appears a minute of 500*l.* paid to Bornini, the earl's valet, during his lord's confinement in the Tower. This Bornini was never heard of after the earl's death." Rapin sustains the suspicion of this murder by saying, "I am very certain the last earl of Essex (son of him who died in the Tower,) was of opinion his father was murdered, and have heard him say so; and that a French footman, who then served his father, was strongly suspected, and disappeared immediately after the fact."—*Rapin's Hist.* ii. 729; *Grey's Debates*, viii. 343.

writing, and which was found in his closet, in answer to Filmer's book entitled *Patriarcha*; by which Filmer asserted the divine right of monarchy, upon the eldest son's succeeding to the authority of the father. It was a book of some name, but so poorly written, that it was somewhat strange that Sidney bestowed so much pains in answering it. In this answer he had asserted, that princes had their power from the people with restrictions and limitations; and that they were liable to the justice of the people, if they abused their power to the prejudice of the subjects, and against established laws. This by an innuendo was said to be an evidence to prove that he was in a plot against the king's life. And it was insisted on, that this ought to stand as a second witness. The earls of Clare, Anglesey, and some others with myself, deposed what lord Howard had said, denying there was any plot. Blake, a draper, deposed, that having asked him when he was to have his pardon, he answered, not till the drudgery of swearing was over. Howard had also gone to Sidney's house, and had assured his servants that there was nothing against him, and had desired them to bring his goods to his own house. Sidney showed how improbable it was that Howard, who could not raise five men, and had not five shillings to pay them, should be taken into such consultations. As for the book, it was not proved to be written by him; for it was an adjudged case in capital matters, that a similitude of hands was not a legal proof, though it was in civil matters. That whatever was in those papers, they were his own private thoughts and speculations of government, never communicated to any. It was also evident that the book had been written some years ago; so that could not be pretended to be a proof of a late plot. The book was not finished, so it could not be known how it would end. A man writing against atheism, who sets out the strength of it, if he does not finish his answer, could not be concluded an atheist because there was such a chapter in his book. Jeffreys interrupted him often very rudely, probably to put him in a passion, to which he was subject; but he maintained his temper to admiration. Finch aggravated the matter of the book, as a proof of his intentions, pretending it was an overt-act; for he said, "*scribere est agere.*" Jeffreys delivered it as law, and said, that all the judges were of the same mind: that if there were two witnesses, the one to the treason, the other only to a circumstance, such as the buying a knife, these made the two witnesses, which the statute required in cases of treason. In conclusion Sidney was cast. And some days after he was brought to court to receive sentence. He then went over his objections to the evidence against him, in which judge Withins interrupted him, and by a strange indecency gave him the lie in open court; but he bore it patiently. He sent to lord Halifax, who was his nephew by marriage, a paper to be laid before the king, containing the main points of his defence; upon which he appealed to the king, and desired he would review the whole matter. Jeffreys upon that, in his furious way, said, either Sidney must die, or he must die. His execution was respite for three weeks, the trial being universally cried out on, as a piece of most enormous injustice. When he saw the warrant of his execution, he expressed no concern at it. And the change that was now in his temper, amazed all that went to him. He told the sheriffs that brought it, he would not expostulate upon anything on his own account; (for the world was now nothing to him;) but he desired they would consider how guilty they were of his blood, who had not returned a fair jury, but one packed, and as they were directed by the king's solicitor. He spoke this to them, not for his own sake, but for their sake. One of the sheriffs was struck with this, and wept. He told it to a person, from whom Tillotson had it, who told it to me. Sidney wrote a long vindication of himself (which I read), and summed up the substance of it in a paper that he gave the sheriffs; but, suspecting they might suppress it, he gave a copy of it to a friend. It was a fortnight before it was printed, though we had all the speeches of those who died for the popish plot printed the very next day. But when it was understood that written copies of Sidney's speech were going about, it was also printed. In it he showed his innocence; that lord Howard was an infamous person, and that no credit was due to him; yet he did not deny the matter he swore against him. As for his book, he showed what reason all princes had to abhor Filmer's maxims; for if primogeniture from Noah was the ground settled by God for monarchy, then all the princes now in the world were usurpers: none claiming by that pedigree, and this primogeniture being only in one person. He said, since God did not now by any declaration of his will, as of old by pro-

phets, mark out such or such persons for princes, they could have no title, but what was founded on law and compact; and this was that in which the difference lay between lawful princes and usurpers. If possession was a donation from God (which Filmer had substituted to the conceit of primogeniture), then every prosperous usurper had a good right. He concluded with a prayer, that the nation might be preserved from idolatry and tyranny. And he said, he rejoiced that he suffered for the old cause, in which he was so early engaged. These last words furnished much matter to the scribblers of that time. In his imprisonment he sent for some independent preachers, and expressed to them a deep remorse for his past sins, and great confidence in the mercies of God. And indeed he met death with an unconcernedness, that became one who had set up Marcus Brutus for his pattern. He was but a very few minutes on the scaffold at Tower Hill: he spoke little, and prayed very short; and his head was cut off at one blow\*.

At this time an accident happened that surprised both the court and city, and which, if well managed, might probably have produced great effects. The duke of Monmouth had lurked in England all this summer, and was then designing to go beyond sea, and to engage in the Spanish service. The king still loved him passionately. Lord Halifax, seeing matters run so much further than he apprehended, thought that nothing could stop that so effectually, as the bringing the duke of Monmouth again into favour. That duke wrote to the king several letters, penned with an extraordinary force. Lord Halifax drew them all, as he himself told me, and showed me his own draughts of them. By these the king was mollified, and resolved to restore him again to his favour. It stuck much at the confession that he was to make. The king promised that no use should be made of it; but he stood on it, that he must tell him the whole truth of the matter. Upon which he consented to satisfy the king. But he would say nothing to the duke, more than to ask his pardon in a general compliment. Lord Halifax had pressed him earnestly upon his first appearance to be silent, and for a while to bear the censures of the town. The last day of the term was very near, in which all the prisoners were to be discharged according to the Habeas Corpus act. That would show he had discovered nothing to their prejudice. So that all discourses concerning his confession, and discoveries, would vanish in a few days. And if he had followed this, probably it would have given a great turn to affairs. The king spoke nothing of the reconciliation to the duke of York, till the day before it was to be done. He was much struck with it; but the king was positive. Yet the duke's creatures in the cabinet council moved, that for form's sake he should be for some days put in the Tower. The king cut that off by saying, he had promised to pardon him. The duke of Monmouth, as was agreed, made an humble confession of his offences in general words to the king; and made a compliment to the duke, and begged that he would intercede with the king to pardon him. The king received him with a fondness that confounded all the duke's party. He used him more tenderly than he had done formerly. The duke put on an outward appearance of being very well pleased with it. The king said next day, that "James (for so he called him) had confirmed all that Howard had sworn." This was carried to the duke of Monmouth, who denied he had ever said any such thing; adding, that lord Howard was a liar and a rogue. And this was set round the town by his creatures, who run with it from coffee-house to coffee-house. The next gazette mentioned that the king had pardoned him upon his confessing the late plot. Lord Halifax pressed the duke of Monmouth to pass that over, and to impute it to the importunity of his enemies, and to the king's easiness; but he could not prevail. Yet he said little till his pardon was past: but then he openly denied that he had confessed the plot. By that he engaged himself in a plain contradiction to what the king had said. Some were brought by the duke to the king, who confirmed they had heard the duke of Monmouth say, that he had not confessed the plot. Upon which the king ordered him to give a confession of it under his hand. Lord Halifax pressed him to write a letter to the king, acknowledging he had confessed the plot. Plot was a general word, that might signify as much, or little, as a man pleased. They had certainly dangerous consultations among them which might be well called plots. He said, the service he might do his friends by such a general letter, and by his gaining the king's heart upon it, would quickly balance the seeming

\* The State Trials fully confirm Burnet's statements respecting this, and the other law-cloaked murders of this period.



prejudice that such a general acknowledgment would bring them under, which could do them no hurt. Upon that he got him to write a letter to that purpose, which he carried to the king. And the king was satisfied. But the duke of Monmouth, whether of himself, or upon the suggestion of others, reflected on what he had done, and thought it a base thing. Though this was no evidence, yet he thought it might have an influence on juries, to make them believe everything that might be sworn by other witnesses, when from his confession they were possessed with a general belief of the plot. So he went full of uneasiness to the king, and desired he might have his letter again, in the terms of an agony like despair. The king gave it back, but pressed him vehemently to comply with his desire; and among other things the duke of Monmouth said, that the king used this expression, "If you do not yield in this you will ruin me." Yet he was firm. So the king forbid him the court, and spoke of him more severely than he had ever done formerly. He was upon this more valued and trusted by his own party than ever. After some days he went beyond sea; and after a short concealment he appeared publicly in Holland, and was treated by the prince of Orange with a very particular respect.

The prince had come for a few days to England after the Oxford parliament, and had much private discourse with the king at Windsor. The king assured him that he would keep things quiet, and not give way to the duke's eagerness, as long as he lived; and added, he was confident, whenever the duke should come to reign, he would be so restless and violent, that he could not hold it four years to an end. This I had from the prince's own mouth\*. Another passage was told me by the earl of Portland. The king showed the prince one of his seals, and told him, that whatever he might write to him, if the letter was not sealed with that seal, he was to look on it as only drawn from him by importunity. The reason for which I mention that in this place is, because, though the king wrote some terrible letters to the prince against the countenance he gave to the duke of Monmouth, yet they were not sealed with that seal; from which the prince inferred, that the king had a mind that he should keep him about him, and use him well. And the king gave orders, that in all the entries that were made in the council books of this whole business, nothing should be left on record that could blemish him.

Hampden was now the only man of the six that was left. Yet there was nothing but Howard's evidence against him, without so much as any circumstance to support it. So since two witnesses were necessary to treason, whereas one was enough for a misdemeanor, he was indicted of a misdemeanor, though the crime was either treason or nothing. Jeffreys, upon Howard's evidence, charged the jury to bring him in guilty; otherwise, he told them, they would discredit all that had been done before. So they brought him in guilty. And the court set 40,000*l.* fine on him, the most extravagant fine that had ever been set for a misdemeanor in that court. It amounted indeed to an imprisonment for life†.

Some time in the spring, eighty-four, Halloway was taken in the West Indies, and sent over. He was under an outlawry for treason. The attorney-general offered him a trial, if he desired it. But he was prevailed on, by the hope of a pardon, to submit and confess all he knew. He said, he was drawn into some meetings, in which they consulted how to raise an insurrection; and that he and two more had undertaken to manage a design for seizing on Bristol, with the help of some that were to come to them from Taunton; but, he added, that they had never made any progress in it. He said, at their meetings in London, Rumsey and West were often talking of lopping the king and the duke; but that he had never entered into any discourse with them upon that subject; and he did not believe that there were above five persons that approved of it. These were West, Rumsey, Rumbold, and his brother; the fifth person is not named in the printed relation. Some said it was Ferguson; others said it was Goodenough. Halloway was thought by the court not to be sincere in his confession. And so, since what he had acknowledged made himself very guilty, he was executed, and died with a firm constancy. He showed great presence of mind. He observed

\* A statement by sir Richard Bulstrode, who had been the British resident at Brussels for some years, says, that Charles the Second, when in familiar conversation with him, said he admired the character of the Flemish people; "but," added the king, "I am weary of travelling; I am

resolved to go abroad no more; but, when I am dead and gone, I know not what my brother will do. I am much afraid that when he comes to the crown he will be obliged to travel again."—Sir Richard Bulstrode's *Memoirs*, 424.

† See *State Trials*.

the partiality that was evident in managing this plot, different from what had appeared in managing the popish plot. The same men, who were called rogues when they swore against papists, were looked on as honest men, when they turned their evidence against protestants. In all his answers to the sheriffs, who, at the place of execution, troubled him with many impertinent questions, he answered them with so much life, and yet with so much temper, that it appeared he was no ordinary man. His speech was suppressed for some days, but it broke out at last. In it he expressed a deep sense of religion. His prayer was an excellent composure. The credit of the Rye-plot received a great blow by his confession. All that discourse about an insurrection, in which the day was said to be set, appeared now to be a fiction, since Bristol had been so little taken care of, that three persons had only undertaken to dispose people to that design, but had not yet let it out to any of them. So that it was plain that, after all the story they had made of the plot, it had gone no further than that a company of seditious and inconsiderable persons were framing among themselves some treasonable schemes that were never likely to come to anything; and that Rumsey and West had pushed on the execrable design of the assassination; in which, though there were few that agreed to it, yet too many had heard it from them, who were both so foolish and so wicked as not to discover them.

But if the court lost much by the death of Halloway, whom they had brought from the West Indies, they lost much more by their proceedings against sir Thomas Armstrong, who was surprised at Leyden, by virtue of a warrant, that Chudleigh, the king's envoy, had obtained from the States, for seizing on such as should fly out of England on the account of the plot. So the scout at Leyden, for 5,000 gilders, seized on him; and delivered him to Chudleigh, who sent him over in great haste. Armstrong in that confusion forgot to claim that he was a native of the States: for he was born at Nimeguen: and that would have obliged the Dutch to have protected him, as one of their natural born subjects. He was trusted in every thing by the duke of Monmouth: and he having led a very vicious life, the court hoped that he, not being able to bear the thoughts of dying, would discover every thing. He shewed such a dejection of mind, while he was concealing himself before he escaped out of England, that Hampden, who saw him at that time, told me, he believed he would certainly do any thing that would save his life. Yet all were disappointed in him; for when he was examined before the council, he said, he knew of no plot but the popish plot: he desired he might have a fair trial for his life; that was all he asked. He was loaded with irons; though that was not ordinary for a man who had served in such posts, as to be lieutenant of the first troop of guards, and gentleman of the horse to the king. There was nothing against him, but what Rumsey and Shepherd had sworn of the discourses at Shepherd's, for which lord Russel had suffered. But by this time the credit of the witnesses was so blasted, that it seems the court was afraid that juries would not now be so easy as they had been. The thing that Rumsey had sworn against him seemed not very credible; for he swore that at the first meeting, Armstrong undertook to go and view the guards, in order to the seizing them; and that upon a view he said at a second meeting, that the thing was very feasible. But Armstrong, who had commanded the guards so long, knew every thing that related to them so well, that without such a transient view, he could of the sudden have answered every thing relating to them. The court had a mind to proceed in a summary way with him, that he should by the hurry of it be driven to saying any thing that could save him. He was now in an outlawry; but though the statute was express, that if an outlawed person came in at any time within the year, he was to have a trial, notwithstanding his outlawry: it was pretended in answer to this, that he not coming in, but being taken, had not a right to the benefit of the statute. But there were several months of the year yet to run: and since a trial was a demand founded on natural justice, he insisted on it. And when he was brought to the king's bench bar, and asked what he had to say why sentence should not be executed, he claimed the benefit of the statute. He said, he had yet, when he was taken, several months to deliberate upon his coming in: and the seizing on him before his time was out, ought not to bar him a right that the law gave him. He also mentioned Halloway, to whom a trial was offered the former term: and, since it was a point of law, he desired counsel might be heard to argue it. Jeffreys rejected all this: he said, the king

might either offer a trial or not, as he saw cause; and he refused to hear counsel: which being demanded upon a point of law, the denying it was thought a very impudent piece of injustice. And when Armstrong insisted that he asked nothing but the law, Jeffreys in his brutal way said, he should have it to the full; and so ordered his execution within six days. And the law was executed on him with the utmost rigour; for he was carried to Tyburn on a sledge, and was quartered, and his quarters were set up. His carriage, during his imprisonment and at his death, was far beyond what could have been imagined. He turned himself wholly to the thoughts of God, and of another state; and was praying continually. He rejoiced that he was brought to die in such a manner. He said, it was scarcely possible for him to have been awakened into a due sense of his sins by any other method. His pride and his resentments were then so entirely conquered, that one who saw him said to me, that it was not easy to think it was the same person whom he had known formerly. He received the sacrament; and died in so good a temper, and with so much quiet in his mind, and so serene a deportment, that we have scarcely known in our time a more eminent instance of the grace and mercy of God. Armstrong in his last paper denied, that he ever knew of any design against the king's or the duke's life, or was in any plot against the government. There were no remarks published on his speech, which it was believed the court ordered; for they saw how much ground they had lost by this stretch of law, and how little they had gained by his death. One passage in it was the occasion of their ordering no such reflections to be made on it, as had been made on the other speeches. The king had published a story all about the court, and had told it to the foreign ministers, as the reason of this extreme severity against Armstrong: he said, that he was sent over by Cromwell to murder him beyond sea, and that he was warned of it, and challenged him on it; and that upon his confessing it, he had promised him never to speak of it any more, as long as he lived. So the king, counting him now dead in law, thought he was free from that promise. Armstrong took this heavily: and in one paper which I saw, written in his own hand, the resentments upon it were sharper than I thought became a dying penitent. So, when that was represented to him, he changed it: and in the paper he gave the sheriffs, he had softened it much. But yet he shewed the falsehood of that report; for he never went beyond sea but once, sent by the earl of Oxford, and some other cavaliers, with a considerable present to the king in money, which he delivered; and brought back letters of thanks from the king to those who made the present. But Cromwell having a hint of this clapped him up in prison, where he was kept almost a year: and upon the merit of that service, he was made a captain of horse soon after the restoration\*. When Jeffreys came to the king at Windsor, soon after this trial, the king took a ring of good value from his finger, and gave it him for these services: the ring upon that was called his "blood stone." The king gave him one advice, which was somewhat extraordinary from a king to a judge; but it was not the less necessary to him. The king said, it was a hot summer, and he was going the circuit; he therefore desired he would not drink too much. With this I leave the affairs of England, to look towards Scotland.

Great pains were taken there to make a further discovery of the negotiation between the English and the Scots. A gentleman, who had been at Bothwell-bridge, was sent over by the Cargillites to some of their friends in Holland: and he carried with him some letters written in an odd cant. He was seized at Newcastle together with his letters; and was so frightened, that he was easily managed to pretend to discover any thing that was suggested to him: but he had never been at London, so he could speak of that negotiation but upon hearsay. His story was so ill laid together, that the court was ashamed to make any use of it: but it turned heavily on himself, for he went mad upon it. Two others came in, and charged sir Hugh Campbell, of Cesnock, an ancient gentleman of a good estate, that he had set on the rebellion of Bothwell-bridge, and had chid them for deserting it. Upon this he

\* When sir Thomas Armstrong saw no reasoning was so strong, no law so explicit, but that in their despite his life was determined to be taken away, he denounced Jeffreys with the appalling words—"My blood be upon your head!" "Let it," said the hardened dictator of injustice,

"I am clamour proof." After the revolution, an effort was made to obtain 5,000*l.* for the widow and children of sir Thomas, out of the estates of his persecutors; but the bill was lost, and some years elapsed before even his attainder was reversed.—Woolrych's Life of Jeffreys.



was brought to a trial. In Scotland the law allows of an exculpation, by which the prisoner is suffered, before his trial, to prove the thing to be impossible. This was prayed by that gentleman, who had full proofs of his being elsewhere, and at a great distance from the place, at that time. But that is a favour which the court may grant, or not : so that was denied him. The first witness that was examined at his trial began with a general story : and when he came to that, in which the prisoner was concerned, Campbell charged him to look him full in the face, and to consider well what he was to say of him ; for he took God to witness, he never saw his face before, as far as he could remember. Upon that the witness was struck, and stopped ; and said, he could say nothing of him. The earl of Perth was then justice-general, and offered to lead him into his story. But the jury stopped that ; and said, that he upon his oath had declared he knew nothing of the prisoner, and that after that they could have no regard to any thing that he might say. Upon which some sharp words passed between lord Perth and them, in which he shewed how ready he was to sacrifice justice and innocent blood to his ambition. And that was yet grosser in this case, because his brother was promised that gentleman's estate, when it should be confiscated. The second witness said nothing, but seemed confounded : so Campbell was acquitted by the jury, but was still kept in prison. These witnesses were again examined before the council : and they adhered to their first deposition against the prisoner. The law in Scotland is very severe against false witnesses, and treats them as felons : but the government there would not discourage such practices ; of which, when they should be more lucky, they intended to make good use. The circuits went round the country, as was directed by the proclamation of the former year. Those who were most guilty compounded the matter, and paid liberally to a creature of the lord chancellor's, that their names might be left out of the citations. Others took the test, and that freed them from all further trouble. They said openly, that it was against their conscience ; but they saw they could not live in Scotland unless they took it. Others observed, that the severity which the presbyterians formerly had used, forcing all people to take their covenant, was now returned back on them in this test, that they were thus forced to take.

In the mean while a great breach was formed, and appeared on all occasions, between the earls of Aberdeen and Queensbury. The latter was very exact in his payments, both of the soldiers and of the pensions ; so his party became the strongest. Lord Aberdeen's method was this : he wrote up letters to the duke of all affairs, and offered expedients, which he pretended were concerted at Edinburgh ; and sent with them the draughts of such letters as he desired should be sent down from the king. But these expedients were not concerted, as he said ; they were only his own conceits. Lord Queensbury, offended with this, let the duke understand how he had been deceived. So an order was sent down, that all expedients should be concerted by a junto, consisting of lord Queensbury's creatures. Lord Aberdeen saw that by this he came to signify little : and seeing he was losing ground at court, he intended to recover himself a little with the people. So he resolved for the future to keep to the law, and not to go beyond it. And such was the fury of that time, that this was called moderation and popularity. The churches were now all well kept by the men ; but their wives not being named in the act of parliament, none of them went to church. The matter was laid before the council ; and a debate arose upon it, whether man and wife making one person in law, husbands should not be fined for their wives' offence, as well as for their own. Lord Aberdeen stood upon this, that the act did not mention the wives : it did indeed make the husbands liable to a fine, if their wives went to conventicles ; for they had it in their power to restrain them : and since the law provided in the one case, that the husband should suffer for his wife's fault, but had made no provision in the other case, as to their going to church, he thought the fining them on that account could not be legally done. Lord Queensbury was for every thing that would bring money into the treasury : so, since in those parts, the ladies had for many years withdrawn wholly from the churches, he reckoned the setting fines on their husbands to the rigour, would make all the estates of the country be at mercy ; for the selling them outright would not have answered this demand, for the offences of so many years. The earl of Perth struck in with this, and seemed to set it up for a maxim, that the presbyterians could not be governed, but with the extremity of

rigour ; and that they were irreconcilable enemies to the king and the duke, and that therefore they ought to be extirpated. The ministry in Scotland being thus divided, they referred the decision of the point to the king : and lord Perth came up to have his resolution upon it. The king determined against the ladies, which was thought very indecent ; for in dubious cases the nobleness of a prince's temper should always turn him to the merciful side. This was the less expected from the king, who had all his life time expressed as great a neglect of women's consciences, as regard for their persons.

But to do him right, he was determined to it by the duke ; who since the breaking out of the plot had got the whole management of affairs, English as well as Scotch, into his hands. Scotland was so entirely in his dependance, that the king would seldom ask what the papers imported, which the duke brought to be signed by him. In England, the application and dependance was visibly on the duke. The king had scarcely company about him to entertain him, when the duke's levees and couchees were so crowded, that the anti-chambers were full. The king walked about with a small train of the necessary attendants, when the duke had a vast following : which drew a lively reflection from Waller, the celebrated wit \*. He said, the house of commons had resolved that the duke should not reign after the king's death : but the king in opposition to them was resolved he should reign even during his life. The breach grew to that height between lord Aberdeen and lord Queensbury, that both were called up to give an account of it. It ended in dismissing lord Aberdeen, and making lord Perth chancellor, to which he had been long aspiring in a most indecent manner. He saw into the duke's temper, that his spirit was turned to an unrelenting severity : for this had appeared very indecently in Scotland.

When any are to be struck in the boots, it is done in the presence of the council ; and upon that occasion almost all offer to run away. The sight is so dreadful, that without an order restraining such a number to stay, the board would be forsaken. But the duke, while he had been in Scotland, was so far from withdrawing, that he looked on all the while with an unmoved indifference, and with an attention, as if he had been to look on some curious experiment. This gave a terrible idea of him to all that observed it, as of a man that had no bowels nor humanity in him. Lord Perth, observing this, resolved to let him see how well qualified he was to be an inquisitor-general. The rule about the boots in Scotland was, that upon one witness, and presumptions, both together, the question might be given ; but it was never known to be twice given, or that any other species of torture, besides the boots, might be used at pleasure. In the court of inquisition they do upon suspicion, or if a man refuses to answer upon oath, as he is required, give him the torture ; and repeat it, or vary it, as often as they think fit ; and do not give over till they have got out of their mangled prisoners, all that they have a mind to know from them.

This lord Perth resolved to make his pattern, and was a little too early in letting the world see, what a government we were to expect, under the influence of a prince of that religion. So, upon his going to Scotland, one Spence, who was a servant of lord Argyle's, and was taken up at London, only upon suspicion, and sent down to Scotland, was required to take an oath, to answer all the questions that should be put to him. This was done in direct contradiction to an express law, against obliging men to swear, that they will answer *super inquirendis*. Spence likewise said, that he himself might be concerned in what he might know : and it was against a very universal law, that excused all men from swearing against themselves, to force him to take such an oath. So he was struck in the boots, and continued firm in his refusal. Then a new species of torture was invented : he was kept from sleep eight or nine nights. They grew weary of managing this. So a third species was invented : little screws of steel were made use of, that screwed the thumbs with so exquisite a torment, that he sunk under this ; for lord Perth told him, they would screw every joint of his whole body, one after another, till he took the oath. Yet such was the firmness and fidelity of this poor man, that even in that extremity he capitulated, that no new questions should be put to him, but those already agreed on ; and that he should not be obliged to be a witness against any person, and that he himself should be pardoned ; so all he could tell them was,

\* In his " Maid's Tragedy." See his works, edition 1698 and preface.

who were lord Argyle's correspondents. The chief of them was Holmes at London, to whom lord Argyle wrote in a cypher, that had a peculiar curiosity in it: a double key was necessary; the one was, to shew the way of placing the words or cypher, in an order very different from that in which they lay in the paper: the other was, the key of the cyphers themselves, which was found among Holmes's papers, when he absconded. Spence knew only the first of these: but he putting all in its true order, then by the other key they were deciphered. In these it appeared, what Argyle had demanded, and what he undertook to do upon the granting his demands: but none of his letters spoke any thing of any agreement then made\*.

When the torture had this effect on Spence, they offered the same oath to Carstairs; and, upon his refusing to take it, they put his thumbs in the screws, and drew them so hard, that as they put him to extreme torture, so they could not unscrew them, till the smith that made them was brought with his tools to take them off. So he confessed all he knew, which amounted to little more than some discourses of taking off the duke; to which he said that he answered, his principles could not come up to that: yet in this he, who was a preacher among them, was highly to blame, for not revealing such black propositions; though it cannot be denied, but that it is a hard thing to discover any thing that is said in confidence: and therefore I saved myself out of those difficulties, by saying to all my friends, that I would not be involved in any such confidence; for as long as I thought our circumstances were such, that resistance was not lawful, I thought the concealing any design in order to it, was likewise unlawful: and by this means I had preserved myself. But Carstairs had at this time some secrets of great consequence from Holland, trusted to him by Fagel, of which they had no suspicion; and so they asked him no questions about them. Yet Fagel saw by that, as he himself told me, how faithful Carstairs was, since he could have saved himself from torture, and merited highly, if he had discovered them. And this was the foundation of his favour with the prince of Orange, and of the great confidence he put in him to his death†.

Upon what was thus screwed out of these two persons, the earl of Tarras, who had married the duchess of Monmouth's elder sister, and six or seven gentlemen of quality, were clapped up. The ministers of state were still most earnestly set on Baillie's destruction; though he was now in so languishing a state, occasioned chiefly by the bad usage he met with in prison, that if his death would have satisfied the malice of the court, that seemed to be very near: but they knew how acceptable a sacrifice his dying in a more violent way would prove. So they continued even in that extremity to use him barbarously. They were also trying what could be drawn from those gentlemen against him. Tarras had married his niece, who was his second wife. So they concluded that their confidence was entire. Baillie's illness increased daily; and his wife prayed for leave to attend on him; and, if they feared an escape, she was willing to be put in irons: but that was denied. Nor would they suffer his daughter, a child of twelve years old, to attend him, even when he was so low, that it was not probable he could live many weeks, his legs being much swelled. But upon these examinations a new method of proceeding against him was taken. An accusation was sent him, not in the form of an indictment, nor grounded on any law, but on a letter of the king's, in which he charged him not only for a conspiracy to raise rebellion, but for being engaged in the Rye-plot; of all which he was now required to purge himself by oath, otherwise the council would hold him guilty of it, and proceed accordingly. He was not, as they said, now in a criminal court upon his life, but before the council, who did only fine and imprison. It was to no purpose for him to say, that by no law, unless it was in a court of inquisition, a man could be required to swear against himself, the temptation to

\* Lord Fountainhall in his "Diary," under the date August 22, 1684, says, "Mr. William Spence to avoid further torture, deciphered Argyle's letters, and agrees with Holmes's declaration, that Argyle and London, Dalrymple of Stanis, sir John Cochrane and others, had formed a design to raise a rebellion in Scotland; and that there were three keys to the said letters, whereof Mrs. Carstairs had two, and Holmes a third, &c. Spence got the liberty

of the castle, and was recommended for a remission." This work affords very valuable information relative to public affairs during the era of Burnet, and fully sustains his statements.

† This was Mr. William Carstairs, son of a presbyterian minister at Glasgow.—Fountainhall's Diary, and McCormick's "Life of Carstairs."



perjury being so strong, when self-preservation was in the case, that it seemed against all law and religion to lay such a snare in a man's way. But to answer all this, it was pretended he was not now on his life, and that whatsoever he confessed was not to be made use of against his life; as if the ruin of his family, which consisted of nine children, and perpetual imprisonment, were not more terrible, especially to one so near his end as he was, than death itself. But he had to do with inexorable men: so he was required to take this oath within two days. And by that time, he not being able to appear before the council, a committee of council was sent to tender him the oath, and to take his examination. He told them, he was not able to speak by reason of the low state of his health, which appeared very evidently to them: for he had almost died while they were with him. He in general protested his innocence, and his abhorrence of all designs against the king's or the duke's life: for the other interrogatories, he desired they might be left with him, and he would consider them. They persisted to require him to take his oath: but he as firmly refused it. So, upon their report, the council construed this refusal to be a confession, and fined him 6,000*l.*, and ordered him to lie still in prison till it was paid. After this it was thought that this matter was at an end, and that this was a final sentence: but he was still kept shut up, and denied all attendance or assistance. He seemed all the while so composed, and even so cheerful, that his behaviour looked like the reviving of the spirit of the noblest of the old Greeks or Romans, or rather of the primitive Christians, and first martyrs in those best days of the church. But the duke was not satisfied with all this. So the ministry applied their arts to Tarras, and the other prisoners, threatening them with all the extremities of misery, if they would not witness treasonable matter against Baillie. They also practised on their wives, and frightening them, set them on their husbands. In conclusion, they gained what had been so much laboured. Tarras, and one Murray, of Philipshaugh, did depose some discourses, that Baillie had with them before he went up to London, disposing them to a rebellion. In these they swelled up the matter beyond the truth. Yet all did not amount to a full proof. So the ministers, being afraid that a jury might not be so easy as they expected, ordered Carstairs's confession to be read in court, not as an evidence, (for that had been promised him should not be done,) but as that which would fully satisfy the jury, and dispose them to believe the witnesses. So Baillie was hurried on to a trial. And upon the evidence he was found guilty, and condemned to be executed that same day: so afraid they were lest death should be too quick for them. He was very little disturbed at all this: his languishing in so solitary a manner made death a very acceptable deliverance to him. He in his last speech shewed, that in several particulars the witnesses had wronged him: he still denied all knowledge of any design against the king's life, or the duke's; and denied any plot against the government: he thought it was lawful for subjects, being under such pressures, to try how they might be relieved from them: and their design never went further; but he would enter into no particulars. Thus a learned and a worthy gentleman, after twenty months' hard usage, was brought to such a death, in a way so full in all the steps of it of the spirit and practice of the courts of inquisition, that one is tempted to think, that the methods taken in it, were suggested by one well studied, if not practised in them. The only excuse that was ever pretended for this infamous prosecution was, that they were sure he was guilty; and that the whole secret of the negociation between the two kingdoms was trusted to him; and that, since he would not discover it, all methods might be taken to destroy him: not considering what a precedent they made on this occasion, by which, if men were once possessed of an ill opinion of a man, they were to spare neither artifice nor violence, but to hunt him down by any means. I have been perhaps too long in this particular, but the case was so singular, and my relation to the person was so near, and my value for him was so great, that I hope I need make no apology for it.

In this I saw how ambition could corrupt one of the best tempered men that I had ever known: I mean lord Perth, who for above ten years together seemed to me incapable of an immoral or cruel action, and yet was now deeply engaged in the foulest and blackest of crimes. I had not now seen him for two years; but I hoped, that still some good impressions had been left in him: and now, when he came to London to be made lord chancellor, I had a very earnest message from him, desiring by my means to see Leighton. I thought,

that angelical man might have awakened in him some of those good principles, which he seemed once to have had, and which were now totally extinguished in him. I wrote so earnestly to Leighton, that he came to London. Upon his coming to me, I was amazed to see him at above seventy look so fresh and well, that age seemed as it were to stand still with him : his hair was still black, and all his motions were lively : he had the same quickness of thought, and strength of memory ; but above all, the same heat and life of devotion, that I had ever seen in him. When I took notice to him, upon my first seeing him, how well he looked, he told me, he was very near his end for all that ; and his work and journey both were now almost done. This at that time made no great impression on me. He was the next day taken with an oppression, and as it seemed with a cold and with stitches, which was indeed a pleurisy.

The next day Leighton sunk so, that both speech and sense went away of a sudden : and he continued panting about twelve hours, and then died without pangs or convulsions. I was by him all the while. Thus I lost him, who had been for so many years the chief guide of my whole life. He had lived ten years in Sussex, in great privacy, dividing his time wholly between study and retirement, and the doing of good : for in the parish where he lived, and in the parishes round about, he was always employed in preaching, and in reading prayers. He distributed all he had in charities, choosing rather to have it go through other people's hands than his own : for I was his almoner in London. He had gathered a well chosen library of curious, as well as useful books ; which he left to the diocess of Dunblane, for the use of the clergy there, that country being ill provided with books. He lamented oft to me the stupidity that he observed among the commons of England, who seemed to be much more insensible in the matters of religion, than the commons of Scotland were. He retained still a peculiar inclination to Scotland ; and if he had seen any prospect of doing good there, he would have gone and lived and died among them. In the short time that the affairs of Scotland were in the duke of Monmouth's hands, that duke had been possessed with such an opinion of him, that he moved the king to write to him, to go, and at least live in Scotland, if he would not engage in a bishopric there. But that fell with that duke's credit. He was in his last years turned to a greater severity against popery than I had imagined a man of his temper, and of his largeness in point of opinion, was capable of. He spoke of the corruptions, of the secular spirit, and of the cruelty that appeared in that church, with an extraordinary concern ; and lamented the shameful advances that we seemed to be making towards popery. He did this with a tenderness, and an edge, that I did not expect from so recluse and mortified a man. He looked on the state the church of England was in, with very melancholy reflections, and was very uneasy at an expression then much used, that it was the best constituted church in the world. He thought it was truly so, with relation to the doctrine, the worship, and the main part of our government. But as to the administration, both with relation to the ecclesiastical courts, and the pastoral care, he looked on it as one of the most corrupt he had ever seen. He thought we looked like a fair carcase of a body without a spirit ; without that zeal, that strictness of life, and that laboriousness in the clergy, that became us.

There were two remarkable circumstances in his death. He used often to say, that if he were to choose a place to die in, it should be an inn ; it looked like a pilgrim's going home, to whom this world was all as an inn, and who was weary of the noise and confusion in it. He added, that the officious tenderness and care of friends was an entanglement to a dying man ; and that the unconcerned attendance of those that could be procured in such a place, would give less disturbance. And he obtained what he desired ; for he died at the Bell inn, in Warwick-lane. Another circumstance was, that while he was bishop in Scotland, he took what his tenants were pleased to pay him : so that there was a great arrear due, which was raised slowly by one whom he left in trust with his affairs there : and the last payment that he could expect from thence was returned up to him about six weeks before his death : so that his provision and journey failed both at once. And thus in the several parts of this history, I have given a very particular account of every thing relating to this apostolical man ; whose life I would have written, if I had not found proper places to bring the most

material parts of it within this work. I reckon that I owed this to that perfect friendship and fatherly care, with which he had always treated me.

The mentioning his death leads me to name some other clergymen of note, that died in this and in the former year. Burnet died in Scotland: and Ross, a poor, ignorant, worthless man, but in whom obedience and fury were so eminent, that these supplied all other defects, was raised to be the primate of that church: which was indeed a sad omen, as well as a step to its fall and ruin. Sterne, archbishop of York, died in the eighty-sixth year of his age: he was a sour, ill tempered man, and minded chiefly the enriching his family. He was suspected of popery, because he was more than ordinarily compliant in all things to the court, and was very zealous for the duke. Dolben, bishop of Rochester, succeeded him, a man of more spirit than discretion, and an excellent preacher, but of a free conversation, which laid him open to much censure in a vicious court. And indeed he proved a much better archbishop than he had been a bishop\*. Gunning, of Ely, died this summer, a man of great reading: he had in him all the subtilty, and the disputing humour of a schoolman: and he studied to infuse that into all those who were formed by him. He was strict in the whole course of his life: but was a dry man, and much inclined to superstition. He had a great confusion of things in his head, and could bring nothing into method; so that he was a dark and perplexed preacher. His sermons were full of Greek and Hebrew, and of the opinions of the fathers. Yet many of the ladies of a high form loved to hear him preach; which the king used to say, was because they did not understand him. Turner succeeded him. He had been long in the duke's family, and was in high favour with him. He was a sincere and good-natured man, of too quick an imagination, and too defective a judgment. He was but moderately learned, having conversed more with men than with books: and so he was not able to do the duke great service. But he was so zealous for his succession, that this raised him high upon no great stock of sufficiency. Old Morley, bishop of Winchester, died this winter, in the eighty-seventh year of his age. He was in many respects a very eminent man, zealous against popery, and yet a great enemy to the dissenters; he was considerably learned, and had a great vivacity of thought: but he was too soon provoked, and too little master of himself upon those occasions. Mew, bishop of Bath and Wells, succeeded him: he had been a captain during the wars, and had been Middleton's secretary, when he was sent to command the insurrection, that the Highlanders of Scotland made for the king in fifty-three. After that he came into orders; and, though he knew very little of divinity, or of any other learning, and was weak to a childish degree, yet obsequiousness and zeal raised him through several steps to this great see. Ken succeeded him in Bath and Wells; a man of an ascetic course of life, and yet of a very lively temper, but too hot and sudden. He had a

\* Dr. Richard Sterne was born at Mansfield, in Nottinghamshire, during the year 1596. He was of Trinity and Bennet colleges, Cambridge. He became chaplain to archbishop Laud, and master of Jesus College in 1633. Being very active in sending the plate of the university to Charles the First, to support him during the civil struggle, Cromwell seized and imprisoned him, and others, finally sending them on board ship, for the purpose, it is said, of selling them as slaves; but this is hardly credible. He kept a school until the Restoration, when he was restored to his mastership, and made bishop of Carlisle, and finally archbishop of York. He published several works; had a share in preparing the Polyglot Bible, and in revising the liturgy. A correspondent of the earl of Strafford describes him as "a solid scholar, who first summed up the 3600 faults that were in our printed bibles." He once had the reputation of being the author of the "Whole Duty of Man;" but this has now been ascribed with more certainty to Iuliy Packington.—Strafford Papers; Le Neve's Bishops; Masters's Hist. of C. C. C. Cambridge.

Dr. John Dolben was a native of Stonewick, Northamptonshire, where he was born in 1623. His education was conducted at Westminster, and Christ-church, Oxford.

During the civil contest he took arms in support of the royal cause, and was severely wounded at the battle of Marston Moor, and in the siege of York. When resistance became of no avail, he returned to college, but was ejected by the parliamentary visitors in 1648. At the Restoration he was made a canon of Christchurch; in 1666, bishop of Rochester; in 1675, lord high almoner; and in 1683, archbishop of Canterbury; but this last preferment he enjoyed only for a brief period. He was most culpably allowed to sleep at an inn in a bed not freed from the contagion of small-pox; with this disease he was infected, and died in 1686. All authorities unite in praising his eloquence, both as a preacher and debater; and Burnet is too cold in his praise, seeming as if resolved not to commend, yet without anything specific to blame. The high character given him by sir William Trumbull is in print, as is that by another of his friends, Dr. Sprat: the latter says of him, in his Life of Cowley, "in him we lost the greatest abilities, the most useful conversation, the most faithful friendship, and one who had a mind that practised the best virtues itself, and a wit that was best able to recommend them to others."—Kippis's Biog. Britannica, Ganger, &c.



very edifying way of preaching; but it was more apt to move the passions, than to instruct; so that his sermons were rather beautiful than solid; yet his way in them was very taking. The king seemed fond of him; and by him, and Turner, the papists hoped, that great progress might be made in gaining, or at least deluding the clergy. It was observed, that all the men in favour among the clergy were unmarried; from whom, they hoped, they might more probably promise themselves a disposition to come over to them \*.

The prosecution of the dissenters was carried very high all this year; they were not only proceeded against for going to conventicles, but for not going to church, and for not receiving the sacrament; the laws made against papists with relation to those particulars being now applied to them. Many were excommunicated, and ruined by the prosecutions. The earl of Danby, for all his severity against lord Shaftesbury, for moving in the King's Bench to be bailed, though committed by the lords only for a contempt, yet had been forced to move often for his being let out upon bail. It was certainly a very great hardship that he lay under; for he had been now five years in the Tower: and three parliaments had sat. The two last had not mentioned him; and now a parliament seemed out of sight. Yet, though he offered a very long and learned argument for their bailing him, the judges of the King's Bench, even Saunders himself, were afraid to meddle in it. But Jeffreys was bolder; so he bailed him: and upon the same grounds all the popish lords were also bailed. Oates was prosecuted at the duke's suit for scandalous words: rogue and traitor were very freely bestowed on the duke by him: so 100,000*l.* was given, which shut him up in a perpetual imprisonment, till they saw a fit opportunity to carry matters further against him †. The

\* Dr. Peter Gunning was born at Hoo, in Kent, during the year 1613. His education was pursued at the Canterbury free school, and Clare Hall, Cambridge; but being persecuted there as a loyalist, he, with his friend Mr. Barrow, came to Oxford in 1644, and took his degree of M. A. At the Restoration he was instituted regius professor of divinity, and master of St. John's, Cambridge, upon the ejection of Dr. Tuckney, to whom, however, he generously allowed a life annuity. In 1669 he was enthroned bishop of Chichester; and in 1674, bishop of Ely. The doctor was handsome in his person, and graceful, which will perhaps account for the admiration he won from the court ladies, without libelling their understandings. He was deeply versed in the scriptures, so as to be hardly excelled as a textuary; and this, aided by an enlarged acquaintance with ecclesiastical history, made him one of the most powerful opponents that the papists and sectarians of his period had to encounter. One anecdote is worth repeating. An enthusiast had been disseminating widely a prophecy that the end of the world would be within the space of twelvemonths, and his followers were numerous. The man had some landed property, for which Gunning offered him a price equal to two years' purchase; this was refused, and twenty required, which convinced his followers that he did not believe his own prediction.—Wood's *Athenæ Oxon.*; Masters's *Hist. of C. C. C. Cambridge*; Salmon's *English Bishops*, &c.

Dr. Francis Turner was the son of Dr. Thomas Turner, dean of Canterbury, by Margaret, daughter of Sir Francis Windebank, secretary of state to Charles the First. He was a scholar of Winchester, and New College, Oxford. He was successively chaplain to the duke of York, master of St. John's, dean of Windsor, bishop of Rochester, and bishop of Ely. He was an unflinching advocate of the protestant cause, being one of the seven bishops imprisoned by James the Second for petitioning that monarch against his declaration in favour of popery. He appears to have been equally uncompromising in his opinions relative to hereditary monarchy, for he refused to take the oaths required at the revolution, and consequently was deprived of his bishopric. Finally, in 1691, being accused of plotting to restore the Stuart dynasty, he thought it most prudent to leave England, and a proclamation was issued for his apprehension. He was satirized by Marvell in his "Mr. Skunk, or the Divine in mode." His "Vindication of the late archbishop San-

croft, and the rest of the deprived Bishops," is worth notice as a piece of contemporary history. He died in 1700.—Wood's *Athenæ Oxon.*

Dr. Peter Mews, or Meaux, was of a more accommodating conscience than his contemporary last mentioned. He fought for Charles the First; appeared in arms for James the Second; and finally adhered to William the Third. He was born at Purse Caundell, Dorsetshire, in the year 1619; passed through the discipline of merchant tailor's, and St. John's, Oxford; lived many years in exile during the interregnum; and in the reign of Charles became successively the diocesan of Bath and Wells, and Winchester. Wood says, he was "much beloved and admired for his hospitality, generosity, justice, and frequent preaching." He died in 1706.—Wood's *Athenæ Oxon.*; Grainger, and Reresby's *Memoirs*.

Dr. Thomas Ken was the son of a London attorney, but born at Little Berkhamstead, in Hertfordshire, during the year 1635. He was educated at Winchester, Hart Hall, and New College, Oxford. Having duly graduated and held various livings, he in 1679 was appointed chaplain to Mary, princess of Orange. Whilst in this office he compelled one of the prince's favourite officers to marry a lady of her highness's train, whom he had seduced by giving her a contract of marriage. The prince is said to have been greatly offended with Ken, for being so officious. But Charles the Second was not offended at his boldness, when he peremptorily refused Nell Gwyn admittance to his lodgings, when the court was at Winchester. "The king's good sense told him, though the prince of Orange's did not, that if a man is really a Christian, his conduct ought to be uniformly consistent with his character." In 1684, he became bishop of Bath and Wells; in 1688, was committed to the Tower with six other prelates for petitioning the king; and in 1690 was deprived for refusing to take the oaths of allegiance to William the Third. His writings and his life fully entitled him to the epithet he acquired of "good Bishop Ken." Wood describes him as greatly charitable, very devout, and extremely obliging in his demeanour. Queen Anne gave him a pension of 200*l.* a year.—Life prefixed to his works; Wood's *Athenæ*; Grainger.

† The evidence adduced at this trial shews conclusively the violent temper and infamous character of Oates.—See the *State Trials*.

duke of Beaufort, lord Peterborough, and some others, brought actions of *scandalum magnatum* against those, who in the time of our great heat had spoken foul things of them : and great damages were given by obsequious and zealous juries. An information of a higher nature was brought against Williams, who, though he was a worthless man, yet was for his zeal chosen speaker of the house of commons in the two last parliaments. He had licensed the printing the votes, which had in them matters of scandal relating to some lords. So an information was brought against him ; and he upon it demurred to the jurisdiction of the court. This was driven on purpose by the duke's party, to cut off the thoughts of another parliament ; since it was not to be supposed that any house of commons could bear the punishing the speaker for obeying their orders.

Jenkins had now done all the drudgery that the court had occasion for from him ; and being capable to serve them in nothing else, he was dismissed from being secretary of state ; and Godolphin, one of the commissioners of the treasury, succeeded him. Another commissioner of the treasury, Deering, dying at the same time, the earl of Rochester hoped to have been made lord-treasurer. He had lost much ground with the king ; and the whole court hated him, by reason of the stop of all payments, which was chiefly imputed to him. Lord Halifax and lord North joined their interest to bring in two other commissioners upon him, without so much as letting him know of it till it was resolved on. These were Thynd and North. This last was to be rewarded for his service during his shrievalry in London. Lord Rochester engaged both the duke and the lady Portsmouth to divert this, if it was possible. But the king was not to be shaken. So he resolved to quit the treasury. The earl of Radnor was discharged from being lord president of the council, where he had for some years acted a very mean part, in which he had lost the character of a steady cynical Englishman, which he had maintained in the former course of his life. And lord Rochester was made lord president ; which being a post superior in rank, but much inferior both in advantage and credit to that he held formerly, drew a jest from lord Halifax that may be worth remembering : he said, he had heard of many kicked down stairs, but never of any that was kicked up stairs before. Godolphin was weary of the drudgery that lay on a secretary of state. He chose rather to be the first commissioner of the treasury : and he was made a baron. The earl of Middleton, son to him that had governed Scotland, was made secretary of state, a man of a generous temper, but without much religion, well learned, of a good judgment, and a lively apprehension \*.

If foreign affairs could have awakened the king, the French did enough this summer in order to it. Besides their possessing themselves of Luxemburg, they sent a fleet against Genoa upon no sort of provocation, but because Genoa would not comply with some demands, that were both unjust and unreasonable : the king of France ordered it to be bombarded, hoping that in that confusion he might by landing a few men have made himself easily master of that state. This would very probably have succeeded, if the attempt had been made upon the first consternation they were in, when the bombardment began. But the thing was delayed a day or two ; and by that time the Genoese not only recovered themselves out of their first fright, but putting themselves in order, they were animated with that indignation and fury, that they beat off the French, with a courage that was not expected from them. Such an assault, that looked more like the violence of a robber, than the attack of one that would observe forms in his conquests, ought to have provoked all princes, especially such as were powerful at sea, to have joined against a prince, who by these practices was become the common enemy of mankind. But we were now pursuing other designs, from which it was resolved that nothing from beyond sea should divert us.

After the king had kept Tangier about twenty years, and had been at a vast charge in making a mole before it, in which several sets of undertakers had failed indeed in the main

\* All these arrangements were effected by lord Halifax, notwithstanding the united interests of the earl of Rochester, the duke of York, and the duchess of Portsmouth, who wished the offices otherwise filled. Lord Halifax, writing to sir John Reresby, thus rejoiced over Rochester's removal from the Treasury. " You may believe I am not at all displeased to see such an adversary removed from the only place that could give him power and

advantage ; and he bears it with so little philosophy, that, if I had ill-nature enough, he gives me sufficient occasion to triumph."—(Reresby's Memoirs, 185.) At the accession of James the Second, lord Rochester more than retaliated these vexations upon his rival. The king it appears was in much doubt who to appoint as secretary of state in the place of lord Godolphin.—Singer's *Clarendon Correspondence*, i. 95.

designs, but had succeeded well in the enriching of themselves, and the work was now brought near perfection, which seemed to give us the key of the Mediterranean, he, to deliver himself from that charge, sent lord Dartmouth with a fleet to destroy all the works, and to bring home all our men. The king, when he communicated this to the cabinet council, charged them to be secret. But it was believed that he himself spoke of it to the lord Arlington, and that lord Arlington told it to the Portugal ambassador; for the ambassador took fire upon it, and desired that, if the king was weary of keeping it, he would restore it to his master. And he undertook to pay a great sum for the charge the king had been at all these years that he had it. But the king believed that as the money would never be paid, so the king of Portugal would not be able to maintain that place against the Moors; so that it would fall in their hands, and by that means prove too important to command the Straits. The thing was boldly denied by the ministers, when pressed by the ambassador upon that subject. Lord Dartmouth executed the design as he was ordered. So an end was put to our possessing that place. This was done only to save charge, that the court might hold out the longer without a parliament. So the republic of Genoa, seeing that we would not, and that, without us, the Dutch could not, undertake their protection, were forced to make a very abject compliment to the king of France; if anything could be abject that was necessary to save their country. The doge and some of the senators were sent to Versailles to ask the king pardon, though it was not easy to tell for what: unless it was, because they presumed to resist his invasion. I happened to be at Paris when the doge was there. One saying of his was much repeated. When all the glory of Versailles was set open to him, and the flatterers of the court were admiring everything, he seemed to look at them with a coldness that became a person who was at the head of a free commonwealth; and when he was asked if the things he saw were not very extraordinary, he said, the most extraordinary thing that he saw there was himself.

The affairs of Holland were much broken. The prince of Orange and the town of Amsterdam were in very ill terms by the French management, to which Chudleigh, the English envoy, joined his strength to such a degree of insolence, that he offered personal affronts to the prince, who upon that would see him no more. Yet the prince was not considered enough at our court to get Chudleigh to be recalled upon it. The town of Amsterdam went so far, that a motion was made of setting up the prince of Friezeland as their stadtholder; and he was invited to come to their town in order to it. But the prince of Orange prevented this by coming to a full agreement with that town. So he and his princess were invited thither; and that misunderstanding was removed, or at least laid asleep for that time. The war of Hungary went on with slow success on the emperor's side; he was poor, and his revenue was exhausted, so that he could not press so hard upon the Turks, as he might have done with advantage; for they were in great confusion. The king of Poland had married a French wife, and she had a great ascendancy over him; and not being able to get her family raised in France, she had turned that king to the emperor's interests; so that he had the glory of raising the siege of Vienna. The French saw their error, and were now ready to purchase her at any rate; so that all the rest of that poor king's inglorious life, after that great action at Vienna, was a perpetual going backwards and forwards between the interests of France and Vienna; which depended entirely upon the secret negotiations of the court of France with his queen, as they came to her terms, or as they did not quite comply with them.

The misunderstanding between the court of Rome and France went on still. The pope declared openly for the house of Austria against the Turk; and made great returns of money into Germany. He engaged the Venetians into the alliance. He found also fault with many of the proceedings in France, with relation to the Regale. And now the tables were turned. The Jesuits, who were wont to value themselves on their dependence on the court of Rome, were now wholly in the interest of France; for they resolved to be on the stronger side. And the Jansenists, whom Rome had treated very ill, and who were looked on as the most zealous assertors of the liberties of the Gallican church, were now the men that admired the pope, and declared for him. The persecution of the protestants went on still in France; and no other care was had of them here, but that we sheltered them, and so had great numbers of them coming over to us. A quarrel was depending between the English



and the Dutch East India company. The Dutch had a mind to drive us out of Bantam; for they did not love to see the English settle so near Batavia. So they engaged the old king of Bantam into a war with his son, who was in possession of Bantam; and the son was supported by the English. But the old king drove out his son by the help that the Dutch gave him; and he drove out the English likewise, as having espoused his son's rebellion against him; though we understood that he had resigned the kingdom to his son, but that by the instigation of the Dutch he had now invaded him. It is certain, our court laid up this in their heart, as that upon which they would lay the foundation of a new war with the States, as soon as we should be in a condition to undertake it. The East India company saw this, and that the court pressed them to make public remonstrances upon it, which gave a jealousy of an ill design under it; so they resolved to proceed rather in a very slow negotiation than in anything that might give a handle to a rupture.

I must now mix in somewhat with relation to myself, though it may seem too inconsiderable to be put into a series of matters of such importance. But it is necessary to give some account of that which set me at liberty to go round some parts of Europe, and to stay some years out of England. I preached a lecture at St. Clement's on the Thursdays; but after the lord Russel's death, the king sent an order to Dr. Hascard, then rector of the parish, to discharge me from it. I continued at the Rolls, avoiding very cautiously everything that related to the public; for I abhorred the making the pulpit a stage for venting of passion, or for the serving of interests. There was a parish in London vacant, where the election lay in the inhabitants, and it was probable it would have fallen on me; though London was in so divided a state, that everything was managed by the strength of parties. Yet the king, apprehending the choice might have fallen on me, sent a message to them, to let them know he would take it amiss if they chose me. Old sir Harbottle Grimstone lived still to the great indignation of the court. When the fifth of November, being Gunpowder Treason day, came, in which we had always sermons at the chapel of the Rolls, I begged the master of the Rolls (sir H. Grimstone) to excuse me then from preaching; for that day led one to preach against popery, and it was indecent not to do it. He said he would end his life as he had led it all along, in an open detestation of popery. So, since I saw this could not be avoided, though I had not meddled with any point of popery for above a year together, I resolved, since I did it so seldom, to do it to purpose. I chose for my text these words: "Save me from the lion's mouth, thou hast heard me from the horns of the unicorns\*." I made no reflection in my thoughts on the lion and unicorn, as being the two supporters of the king's scutcheon (for I had ever hated all points of that sort, as a profanation of Scriptures); but I showed how well popery might be compared to the lion's mouth, then open to devour us; and I compared our former deliverance from the extremities of danger to the being on the horn of a rhinoceros. And this leading me to the subject of the day, I mentioned that wish of king James the First against any of his posterity, that should endeavour to bring that religion in among us. This was immediately carried to the court. But it only raised more anger against me; for nothing could be made of it. They talked most of the choice of the text, as levelled against the king's coat of arms. That had never been once in my thoughts. Lord-keeper North diverted the king from doing anything on the account of my sermon. And so the matter slept till the end of the term. And then North wrote to the master of the Rolls, that the king considered the chapel of the Rolls as one of his own chapels; and, since he looked on me as a person disaffected to his government, and had for that reason dismissed me from his own service, he therefore required him not to suffer me to serve any longer in that chapel. And thus all my service in the church was now stopped; for upon such a public declaration made against me, it was not fit for any clergyman to make use of my assistance any more. And by these means I was set at liberty by the procurement of my enemies. So that I did not abandon my post either out of fear, or out of any giddiness to ramble about Europe. But being now under such public marks of jealousy, and put out of a capacity of serving God and the church in the way of my function, it seemed a prudent and a decent thing for me to withdraw myself from that fury which I saw was working so strongly, and in so many repeated instances, against me.

\* Psalm xxii. 21.

These disgraces from the court were the occasion of my going out of England, which both preserved me from what I had reason to apprehend, when the duke, by the change that happened soon after, might have had it in his power to make me feel all that displeasure which had been growing upon him in a course of so many years against me, and it also put me in a way to do the greatest services I was capable of, both to the interest of religion, and of these nations. So that what was intended as a mischief to me proved my preservation. My employment at the Rolls would have fallen in course within a month, if the court had delayed the putting me from it in such an open manner; for that worthy man, sir Harbottle Grimstone, died about Christmas. Nature sank all at once, he being then eighty-two. He died, as he had lived, with great piety and resignation to the will of God.

There were two famous trials in Michaelmas term. Three women came and deposed against Roswell, a presbyterian preacher, treasonable words that he had delivered at a conventicle. They swore to two or three periods, in which they had agreed so exactly together, that there was not the smallest variation in their depositions. Roswell, on the other hand, made a strong defence. He proved that the witnesses were lewd and infamous persons. He proved that he had always been a loyal man, even in Cromwell's days: that he prayed constantly for the king in his family: and that in his sermons he often insisted on the obligations to loyalty. And as for that sermon in which the witnesses swore he delivered those words, he showed what his text was, which the witnesses could not remember, as they remembered nothing else in his sermon besides the words they had deposed. That text, and his sermon upon it, had no relation to any such matter. Several witnesses who heard the sermon, and some who wrote it in short-hand, declared he said no such words, nor anything to that purpose. He offered his own notes to prove this further; but no regard was had to them. The women could not prove by any circumstance that they were at his meeting, or that any person saw them there on that day. The words they swore against him were so gross, that it was not to be imagined any man in his wits could express himself so, were he ever so wickedly set, before a mixed assembly. It was also urged, that it was highly improbable that three women could remember so long a period upon one single hearing; and that they should all remember it so exactly as to agree in the same deposition. He offered to put the whole upon this issue: he would pronounce a period, as long as that which they had sworn, with his usual tone of voice with which he preached, and then leave it to them to repeat it, if they could. I set down all this defence more particularly, that it may appear what a spirit was in that time, when a verdict could be brought in upon such an evidence, and against such a defence. Jeffreys urged the matter with his ordinary vehemence: he laid it for a foundation, that all preaching at conventicles was treasonable, and that this ought to dispose the jury to believe any evidence whatsoever upon that head, and that here were three positive concurring witnesses. So the jury brought him in guilty. And there was a shameful rejoicing upon this. It was thought now conventicles would be all suppressed by it; since any person that would witness that treasonable words were delivered at them would be believed, how improbable soever it might be. But when the importance of the words came to be examined by men learned in the law, they were found not to be treason by any statute. So Roswell moved for an arrest of judgment, till counsel should be heard to that point, whether the words were treason or not. In Sidney's case, they refused to grant that, unless he would first confess the fact. And though that was much censured, yet it was more doubtful whether counsel ought to be heard after the jury had brought in the verdict. But the king was so put out of countenance with the many stories that were brought him of his witnesses, that the attorney-general had orders to yield to the arrest of judgment; though it had been more to the king's honour to have put an end to the business by a pardon. It was thought a good point gained, which might turn to the advantage of the subject, to allow that a point of law might be argued after conviction. The impudence of this verdict was the more shameful, since, though we had a popish successor in view, here was a precedent made, by which positive witnesses, swearing to anything as said in a sermon, were to be believed against so many probabilities, and so much proof to the contrary; which might have been at another time very fatal to the clergy.

The other trial was of more importance to the court. In Armstrong's pocket, when he

was taken, a letter was found written by Haies, a banker in London, directed to another name, which was believed a feigned one. In it credit was given him upon Haies's correspondent in Holland for money ; he was desired not to be too lavish ; and he was promised that he should be supplied as he needed it. Here was an abetting of a man outlawed for treason. Much pains was taken on Haies, both by persuasion and threatening, to induce him to discover that whole cabal of men, that, it seemed, joined in a common purse to supply those who had fled beyond sea on the account of the plot. And they hoped to know all Monmouth's friends ; and either to have attainted them, or at least to have fined them severely for it. But Haies shewed a fidelity and courage far beyond what could have been expected from such a man : so he was brought to a trial. He made a strong defence. The letter was not exactly like his hand. It was not addressed to Armstrong, but to another person, from whom he perhaps had it. No entry was made of it in his books, nor of any sum paid in upon it. But his main defence was, that a banker examined into no person's concerns ; and, therefore, when money or good security was brought him, he gave bills of exchange, or letters of credit, as they were desired. Jeffreys pressed the jury, in his impetuous way, to find Haies guilty of high treason ; because, though there was not a witness against Haies, but only presumptions appeared upon the proof, yet, Jeffreys said, it was proved by two witnesses that the letter was found in Armstrong's pocket ; and that was sufficient, the rest appearing by circumstances. The little difference between the writing in the letter and his ordinary hand, was said to be only a feint to hide it, which made him the more guilty. He required the jury to bring him in guilty ; and said, that the king's life and safety depended upon this trial : so that if they did it not, they exposed the king to a new Rye-plot ; with other extravagancies with which his fury prompted him. But a jury of merchants could not be wrought up to this pitch. So he was acquitted, which mortified the court a little ; for they had reckoned that now juries were to be only a point of form in a trial, and that they were always to find bills as they were directed.

A trial in a matter of blood came on after this\*. A gentleman of a noble family being at a public supper with much company, some hot words passed between him and another gentleman, which raised a sudden quarrel, none but three persons being engaged in it. Swords were drawn, and one was killed outright ; but it was not certain by whose hand he was killed. So the other two were both indicted upon it. The proof did not carry it beyond manslaughter, no marks of any precedent malice appearing. Yet the young gentleman was prevailed on to confess the indictment, and to let sentence pass on him for murder : a pardon being promised him if he should do so, and he being threatened with the utmost rigour of the law, if he stood upon his defence. After the sentence had passed, it appeared on what design he had been practised on. It was a rich family, and not well affected to the court ; so he was told that he must pay well for his pardon. And it cost him 16,000*l.* : of which the king had the one half, the other half being divided between two ladies that were in great favour. It is a very ill thing for princes to suffer themselves to be prevailed on by importunities to pardon blood which cries for vengeance. Yet an easiness to such importunity is a feebleness of good nature, and so is in itself less criminal. But it is a monstrous perverting of justice, and a destroying the chief end of government, which is the preservation of the people, when their blood is set to sale ; and that not as a compensation to the family of the person murdered, but to the prince himself, and to some who are in favour with him upon unworthy accounts ; and it was robbery if the gentleman was innocent.

Another thing of a strange nature happened about this time. The earl of Clancarty in Ireland, when he died, had left his lady the guardian of his children. It was one of the noblest and richest families of the Irish nation, which had always been papists ; but the lady was a protestant. And she, being afraid to trust the education of her son in Ireland, though in protestant hands, considering the danger he might be in from his kindred of that religion, brought him over to Oxford, and put him into Fell's hands, who was both bishop of Oxford and dean of Christchurch, where she reckoned he would be safe. Lord Clancarty had an uncle, col. Maccarthy, who was in most things, where his religion was not concerned, a man

\* This was the indictment of sir H. St. John, afterwards a viscount.—Oxford ed.



of honour. So he, both to pervert his nephew and to make his own court, got the king to write to the bishop of Oxford to let the young lord come up and see the diversions of the town in the Christmas time: to which the bishop did too easily consent. When he came to town, he, being then at the age of consent, was married to one of the lord Sunderland's daughters. And so he broke through all his education, and soon after turned papist. Thus the king suffered himself to be made an instrument in one of the greatest of crimes, the taking an infant out of the hand of a guardian, and marrying him secretly; against which the laws of all nations have taken care to provide very effectually. But this leads me into a further view of the designs at court.

The earl of Rochester grew weary of the insignificant place of president, which procured him neither confidence nor dependence. And, since the government of Ireland was the greatest post next to the treasury, he obtained by the duke's favour to be named lord-lieutenant of Ireland. The king seemed to be so uneasy with him, that he was glad to send him away from the court\*. And the king intended to begin in his person a new method in the government of Ireland. Formerly the lords-lieutenants were generals of the army, as well as the governors of the kingdom. Their interest in recommending to posts in the army, and the giving the commissions for them, brought the army into their dependence, and increased the profits of their secretaries. It was now suggested by lord Sunderland that this was too much in one person, and therefore he proposed, that there should be a general of the army, independent on the lord-lieutenant, and who should be a check upon him. When there were but a few troops kept up there, it might be more reasonable to leave them in the lord-lieutenant's hands; but now that an army was kept, it seemed too much to put that, as well as the civil administration of the kingdom, into the power of one man. In this the earl of Sunderland's design was to keep that kingdom in a dependence upon himself. And he told the king, that if he thought that was a good maxim for the government of Ireland, he ought to begin it when a creature of his own was sent thither, who had not such a right to dispute points of that kind with him, as ancient noblemen might pretend to. Lord Rochester was much mortified with this. He said, the chief governor of Ireland could not be answerable for the peace of that kingdom, if the army was not in a dependence on him. Yet little regard was had to all that he could object to this new method; for the king seemed to be the more pleased with it, because it afflicted him so much. The first instance, in which the king intended to begin the immediate dependence of the Irish army on himself, was not so well chosen as to make it generally acceptable: for it was, that colonel Maccarthy was to have a regiment there. He had a regiment in the French service for several years, and was called home upon that appearance that we had put on of engaging with the allies in a war with France in the year 1678. The popish plot had kept the king from employing him for some years, in which the court was in some management with the nation. But now that being at an end, the king intended to employ him upon this acceptable service he had done with relation to his nephew. The king spoke of it to lord Halifax; and he, as he told me, asked the king, if he thought that was to govern according to law. The king answered, he was not tied up by the laws of Ireland as he was by the laws of England. Lord Halifax offered to argue that point with any person that asserted it before him. He said, that army was raised by a protestant parliament, to secure the protestant interest: and would the king give occasion to any to say, that where his hands were not bound up, he would show all the favour he could to the papists? The king answered, he did not trouble himself with what people said, or would say. Lord Halifax replied to this, that it was a just piece of greatness in the king not to mind what his enemies said; but he hoped he would never despise what his friends said, especially when they seemed to have reason on their side; and he wished the king would choose rather to make up Maccarthy's losses for his service in pensions and other favours, than in a way that would raise so much clamour and jealousy. In all this, lord Halifax only offered his advice to the king, upon the king's beginning the discourse with him. Yet the king told it all to Maccarthy, who came and expostulated the matter with

\* There are some interesting letters relating to this appointment in Singer's Clarendon Correspondence, i. 99, &c. In the same work there are many particulars relating to the colonel Justine Maccarthy mentioned in the text.

that lord. So he saw by that how little safe a man was, who spoke freely to the king, when he crossed the king's own inclinations.

There was a great expectation in the court of France that at this time the king would declare himself a papist. They did not keep the secret very carefully there; for the archbishop of Rheims had said to myself, that the king was as much theirs as his brother was, only he had not so much conscience. This I reported to lord Halifax to tell the king. Whether he did it, or not, I know not. But it was written over at this time from Paris, that the king of France had said at his levee, or at table, that a great thing would quickly break out in England with relation to religion. The occasion of that was afterwards better known. One of our East India ships had brought over one of the missionaries of Siam, who was a man of a warm imagination, and who talked of his having converted and baptized many thousands in that kingdom. He was well received at court; and the king diverted himself with hearing him relate the adventures and other passages of his travels. Upon this encouragement he desired a private audience, in which, in a very inflamed speech, and with great vehemence, he pressed the king to return to the bosom of the church. The king entertained this civilly, and gave him those answers, that he, not knowing the king's way, took them for such steps and indications as made him conclude the thing was very near done. And upon that he wrote to P. de la Chaise, that they would hear the news of the king's conversion very quickly. The confessor carried the news to the king, who, not doubting it, gave the general hint of that great turn, of which he was then full of hopes.

That priest was directed by some to apply himself to lord Halifax, to try if he could convert him. Lord Halifax told me he was so vain and so weak a man, that none could be converted by him, but such as were weary of their religion and wanted only a pretence to throw it off. Lord Halifax put many questions to him, to which he made such simple answers, as furnished that lord with many very lively sallies upon the conversions so much boasted of, when made by such men. Lord Halifax asked him how it came that, since the king of Siam was so favourable to their religion, they had not converted him? The missionary upon that told him, that the king had said he would not examine into the truth of all that they had told him concerning Jesus Christ. He thought it was not reasonable to forsake the religion of his fathers, unless he saw good grounds to justify the change. And, since they pretended that the author of their religion had left a power of working miracles with his followers, he desired they would apply that to himself. He had a palsy both in his arm and in his leg; and if they could deliver him from that, he promised to them he would change immediately. Upon which the missionary said, that the bishop, who was the head of that mission, was bold enough (*assez hardi* were the priest's own words) to undertake it. A day was set for it. And the bishop, with his priest and some others, came to the king. And after some prayers, the king told them he felt some heat and motion in his arm; but the palsy was more rooted in his thigh; so he desired the bishop would go on, and finish that which was so happily begun. The bishop thought he had ventured enough, and would engage no further, but told the king that, since their God had made one step towards him, he must make the next to God, and at least meet him half way. But the king was obstinate, and would have the miracle finished before he would change. On the other hand, the bishop stood his ground. And so the matter went no further. Upon which lord Halifax said, since the king was such an infidel, they ought to have prayed the palsy into his arm again, as well as they prayed it out; otherwise, here was a miracle lost on an obstinate infidel; and, if the palsy had immediately returned into his arm, that would perhaps have given him a full conviction. This put the missionary into some confusion. And lord Halifax repeated it both to the king and to the duke with that air of contempt, that the duke was highly provoked by it; and the priest appeared at court no more.

There was at this time a new scheme formed, that very probably would have for ever broken the king and the duke. But how it was laid was so great a secret, that I could never penetrate into it. It was laid at lady Portsmouth's. Barillon and lord Sunderland were the chief managers of it. Lord Godolphin was also in it. The duke of Monmouth came over secretly. And though he did not see the king, yet he went back very well pleased with his journey. But he never told his reason to any that I know of. Mr. May of the privy purse

told me, that he was told there was a design to break out, with which he himself would be well pleased ; and when it was ripe, he was to be called on to come and manage the king's temper, which no man understood better than he did : for he had been bred about the king ever since he was a child ; and by his post he was in the secret of all his amours ; but was contrary to his notions in everything else, both with relation to popery, to France, and to arbitrary government. Yet he was so true to the king in that lewd confidence in which he employed him, that the king had charged him never to press him in anything, so as to provoke him. By this means he kept all this while much at a distance ; for he would not enter into any discourse with the king on matters of state, till the king began with him. And he told me, he knew by the king's way things were not yet quite ripe, nor he thoroughly fixed on the design. That with which they were to begin was the sending the duke to Scotland. And it was generally believed, that if the two brothers should be once parted, they would never meet again. The king spoke to the duke concerning his going to Scotland, and he answered that there was no occasion for it ; upon which the king replied, that either the duke must go, or that he himself would go thither.

The king was observed to be more than ordinarily pensive. And his fondness to lady Portsmouth increased, and broke out in very indecent instances. The grand prior of France, the duke of Vendome's brother, had made some applications to that lady, with which the king was highly offended. It was said, the king came in on a sudden, and saw that which provoked him ; so he commanded him immediately to go out of England. Yet after that the king caressed her in the view of all people, which he had never done on any occasion, or to any person formerly. The king was observed to be colder and more reserved to the duke than ordinary. But what was under all this was still a deep secret. Lord Halifax was let into no part of it. He still went on against lord Rochester. He complained in council that there were many razures in the books of the treasury, and that several leaves were cut out of those books ; and he moved the king to go to the treasury chamber, that the books might be laid before him, and that he might judge of the matter upon sight. So the king named the next Monday. And it was then expected that the earl of Rochester would have been turned out of all, if not sent to the Tower. And a message was sent to Mr. May, then at Windsor, to desire him to come to court that day, which it was expected would prove a critical day. And it proved to be so indeed, though in a different way.

All this winter the king looked better than he had done for many years. He had a humour in his leg which looked like the beginning of the gout ; so that for some weeks he could not walk, as he used to do generally for three or four hours a day in the park, which he did commonly so fast, that as it was really an exercise to himself, so it was a trouble to all about him to hold up with him. In the state the king was in, he, not being able to walk, spent much of his time in his laboratory, and was running a process for the fixing of mercury. On the first of February, being a Sunday, he eat little all day, and came to lady Portsmouth at night, and called for a porringer of spoon-meat. It was made too strong for his stomach, so he eat little of it ; and he had an unquiet night. In the morning, one Dr. King, a physician, and a chymist, came, as he had been ordered, to wait on him. All the king's discourse to him was so broken, that he could not understand what he meant. And the doctor concluded he was under some great disorder, either in his mind or in his body. The doctor, amazed at this, went out, and, meeting with the lord Peterborough, he said the king was in a strange humour, for he did not speak one word of sense. Lord Peterborough desired he would go in again to the bedchamber, which he did. And he was scarce come in, when the king, who seemed all the while to be in great confusion, fell down all of a sudden in a fit like an apoplexy ; he looked black, and his eyes turned in his head. The physician, who had been formerly an eminent surgeon, said it was impossible to save the king's life, if one minute was lost ; he would rather venture on the rigour of the law than leave the king to perish. And so he let him blood. The king came out of that fit ; and the physicians approved what Dr. King had done. Upon which the privy council ordered him a thousand pounds, which yet was never paid him. Though the king came out of that fit, yet the effects of it hung still upon him, so that he was much oppressed. And the physicians did very much apprehend the return of another fit, and that it would carry him off ; so they



looked on him as a dead man. The bishop of London spoke a little to him, to dispose him to prepare for whatever might be before him; to which the king answered not a word. But that was imputed partly to the bishop's cold way of speaking, and partly to the ill opinion they had of him at court, as too busy in opposition to popery. Sancroft made a very weighty exhortation to him: in which he used a good degree of freedom, which he said was necessary, since he was going to be judged by one who was no respecter of persons. To him the king made no answer neither; nor yet to Ken, though the most in favour with him of all the bishops. Some imputed this to an insensibility, of which too visible an instance appeared, since lady Portsmouth sat in the bed taking care of him as a wife of a husband. Others guessed truer, that it would appear he was of another religion. On Thursday a second fit returned; and then the physicians told the duke that the king was not likely to live a day to an end.

The duke immediately ordered Hudleston, the priest that had a great hand in saving the king at Worcester fight (for which he was excepted out of all severe acts that were made against priests), to be brought to the lodgings under the bed-chamber. And when he was told what was to be done, he was in great confusion, for he had no hostie about him. But he went to another priest that lived in the court, who gave him the pix with an hostie in it. But that poor priest was so frightened, that he ran out of Whitehall in such haste that he struck against a post, and seemed to be in a fit of madness with fear. As soon as Hudleston had prepared everything that was necessary, the duke whispered the king in the ear. Upon that the king ordered that all who were in the bed-chamber should withdraw, except the earls of Bath and Feversham; and the door was double locked. The company was kept out half an hour: only lord Feversham opened the door once, and called for a glass of water. Cardinal Howard told me at Rome, that Hudleston, according to the relation that he sent thither, made the king go through some acts of contrition, and, after such a confession as he could then make, he gave him absolution and the other sacraments. The hostie stuck in his throat, and that was the occasion of calling for a glass of water. He also gave him extreme unction. All must have been performed very superficially, since it was so soon ended. But the king seemed to be at great ease upon it. It was given out, that the king said to Hudleston that he had saved him twice: first his body, and now his soul; and that he asked him if he would have him declare himself to be of their church. But it seems he was prepared for this, and so diverted the king from it; and said, he took it upon him to satisfy the world in that particular. But though by the principles of all religions whatsoever he ought to have obliged him to make open profession of his religion, yet, it seems, the consequences of that were apprehended; for without doubt that poor priest acted by the directions that were given him. The company was suffered to come in. And the king went through the agonies of death with a calm and a constancy that amazed all who were about him, and knew how he had lived. This made some conclude that he had made a will, and that his quiet was the effect of that. Ken applied himself much to the awaking the king's conscience. He spoke with a great elevation, both of thought and expression, like a man inspired, as those who were present told me. He resumed the matter often, and pronounced many short ejaculations and prayers, which affected all that were present, except him that was the most concerned, who seemed to take no notice of him, and made no answers to him. He pressed the king six or seven times to receive the sacrament; but the king always declined it, saying he was very weak. A table with the elements upon it ready to be consecrated was brought into the room, which occasioned a report to be then spread about, that he had received it. Ken pressed him to declare that he desired it, and that he died in the communion of the church of England. To that he answered nothing. Ken asked him if he desired absolution of his sins. It seems the king, if he then thought anything at all, thought that would do him no hurt. So Ken pronounced it over him; for which he was blamed, since the king expressed no sense of sorrow for his past life, nor any purpose of amendment. It was thought to be a prostitution of the peace of the church, to give it to one, who, after a life led as the king's had been, seemed to harden himself against everything that could be said to him. Ken was also censured for another piece of indecency: he presented the duke of Richmond, lady Portsmouth's son, to be blessed by the king. Upon this, some that were in the

room cried out, the king was their common father. And upon that all kneeled down for his blessing, which he gave them. The king suffered much inwardly, and said, he was burnt up within ; of which he complained often, but with great decency. He said once, he hoped he should climb up to heaven's gates, which was the only word savouring of religion that he was heard to speak.

He gathered all his strength to speak his last words to the duke, to which every one hearkened with great attention. He expressed his kindness to him, and that he now delivered all over to him with great joy. He recommended lady Portsmouth over and over again to him. He said, he had always loved her, and he loved her now to the last ; and besought the duke, in as melting words as he could fetch out, to be very kind to her, and to her son. He recommended his other children to him : and concluded, " Let not poor Nelly starve : " that was Mrs. Gwyn. But he said nothing of the queen, nor any one word of his people, or of his servants : nor did he speak one word of religion, or concerning the payment of his debts, though he left behind him about 90,000 guineas, which he had gathered, either out of the privy purse, or out of the money which was sent him from France, or by other methods, and which he had kept so secretly that no person whatsoever knew any thing of it.

He continued in the agony till Friday at eleven o'clock, being the sixth of February, 1684-5, and then died in the fifty-fourth year of his age, after he had reigned, if we reckon from his father's death, thirty-six years, and eight days ; or, if we reckon from his restoration, twenty-four years, eight months, and nine days. There were many very apparent suspicions of his being poisoned ; for though the first access looked like an apoplexy, yet it was plain in the progress of it that it was no apoplexy. When his body was opened, the physicians who viewed it were, as it were, led by those who might suspect the truth, to look upon the parts that were certainly sound. But both Lower and Needham, two famous physicians, told me, they plainly discerned two or three blue spots on the outside of the stomach. Needham called twice to have it opened ; but the surgeons seemed not to hear him : and when he moved it the second time, he, as he told me, heard Lower say to one that stood next him, " Needham will undo us, calling thus to have the stomach opened, for he may see they will not do it." They were diverted to look to somewhat else : and when they returned to look upon the stomach, it was carried away : so that it was never viewed. Le Fevre, a French physician, told me, he saw a blackness in the shoulder : upon which he made an incision, and saw it was all mortified. Short, another physician, who was a papist, but after a form of his own, did very much suspect foul dealing : and he had talked more freely of it than any of the protestants durst do at that time. But he was not long after taken suddenly ill, upon a large draught of wormwood wine, which he had drank in the house of a popish patient, that lived near the Tower, who had sent for him, of which he died. And, as he said to Lower, Millington, and some other physicians, he believed that he himself was poisoned, for his having spoken so freely of the king's death. The king's body was indecently neglected. Some parts of his inwards, and some pieces of the fat, were left in the water in which they were washed : all which were so carelessly looked after, that the water being poured out at a scullery hole that went to a drain, in the mouth of which a grate lay, these were seen lying on the grate many days after. His funeral was very mean. He did not lie in state : no mournings were given ; and the expense of it was not equal to what an ordinary nobleman's funeral will rise to. Many upon this said, that he deserved better from his brother, than to be thus ungratefully treated in ceremonies that are public, and that make an impression on those who see them, and who will make severe observations and inferences upon such omissions. But since I have mentioned the suspicions of poison, as the cause of his death, I must add, that I never heard any lay those suspicions on his brother. But his dying so critically, as it were in the minute in which he seemed to begin a turn of affairs, made it to be generally the more believed, and that the papists had done it, either by the means of some of lady Portsmouth's servants, or, as some fancied, by poisonous snuff ; for so many of the small veins of the brain were burst, that the brain was in great disorder, and no judgment could be made concerning it. To this I shall add a very surprising story, that I had in November, 1709, from Mr. Henley, of Hampshire. He told me, that, when the duchess of Portsmouth came over to England in the year 1699, he heard, that she had talked as if king

Charles had been poisoned; which he desiring to have from her own mouth, she gave him this account of it. She was always pressing the king to make both himself and his people easy, and to come to a full agreement with his parliament: and he was come to a final resolution of sending away his brother, and of calling a parliament; which was to be executed the next day after he fell into that fit of which he died. She was put upon the secret, and spoke of it to no person alive, but to her confessor: but the confessor, she believed, told it to some, who, seeing what was to follow, took that wicked course to prevent it. Having this from so worthy a person, as I have set it down without adding the least circumstance to it, I thought it too important not to be mentioned in this history. It discovers both the knavery of confessors, and the practices of papists, so evidently, that there is no need of making any further reflections on it<sup>a</sup>.

Thus lived and died king Charles the Second. He was the greatest instance in history of the various revolutions of which any one man seemed capable. He was bred up, the first twelve years of his life, with the splendour that became the heir of so great a crown. After that he passed through eighteen years in great inequalities, unhappy in the war, in the loss of his father, and of the crown of England. Scotland did not only receive him, though upon terms hard of digestion, but made an attempt upon England for him, though a feeble one. He lost the battle of Worcester with too much indifference; and then he shewed more care of his person, than became one who had so much at stake. He wandered about England for ten weeks after that, hiding from place to place: but, under all the apprehensions he had then upon him, he shewed a temper so careless, and so much turned to levity, that he was then diverting himself with little household sports, in as unconcerned a manner, as if he had made no loss, and had been in no danger at all. He got at last out of England; but he had been obliged to so many, who had been faithful to him, and careful of him, that he seemed afterwards to resolve to make an equal return to them all; and finding it not easy to reward them all as they deserved, he forgot them all alike. Most princes seem to have this pretty deep in them, and to think that they ought never to remember past services, but that their acceptance of them is a full reward. He, of all in our age, exerted this piece of prerogative in the amplest manner: for he never seemed to charge his memory, or to trouble his thoughts, with the sense of any of the services that had been done him<sup>†</sup>. While he was abroad at Paris, Cologne, or Brussels, he never seemed to lay any thing to heart. He pursued all his diversions, and irregular pleasures, in a free career; and seemed to be as serene under

<sup>a</sup> A few corrections and additions are required to the above narrative of the king's death. The duchess of Portsmouth, it seems, was not with him in his last moments, although she was very anxious to be with him, and to have him reconciled to the papal religion. She would have been present if bishop Ken had not prevented her; (Ken's *Life by a Relative*, 17), and she probably assigned the reason when she told the French ambassador, "I cannot with decency enter the room—the queen is almost constantly there."—(Dalrymple's *Memoirs*, Append. i. 95<sup>a</sup>.) The earl of Aylesford, who attended the king at the time, thus describes the final scene. "My good king and master falling upon me in his fit, I ordered him to be blooded, and then I went to fetch the duke of York. When we came to the bed-side, we found the queen there; and the imposter (Burnet) says it was the duchess of Portsmouth."—(From an original letter published in the *European Magazine*, xxvii. 22.) King James, in his own *Memoirs*, styled "Life of James the Second," i. p. 749, says Charles spoke most tenderly to the queen in his dying hour. This is confirmed by the relation of bishop, Ken just quoted.

The earl of Dartmouth relates that the king was very fond of his buildings at Winchester, designed by sir Christopher Wren, but now converted into barracks, and that

the 90,000 guineas mentioned by Burnet, were intended for their completion.—Oxford ed. of this work. The earl's authority was William Chiffins, the king's closet-keeper.

The suspicions of the king being poisoned, are sustained by the statement in the works of Sheffield, duke of Buckingham, ii. 65, and Wellwood's *Memoirs*.

Mr. Henley, quoted by Burnet, was the father of the lord keeper; he was esteemed a man of honour, as he certainly was talented, wealthy, and mixed in good society. To him Dr. Garth dedicated his "Dispensatory;" and he is the member of parliament who moved for an address to the queen for the promotion of Dr. Hoadley to some ecclesiastical dignity as a recompence for his writings in defence of liberty and the established church. The earl of Hardwicke related that he had heard the duke of Richmond, son of the duchess of Portsmouth, relate the narrative as Burnet tells it.—(Oxford ed. of this work.) The various opinions upon this point are well weighed by Ralph in his "History," and he impartially concludes that the evidence is so imperfect and conflicting, that "all decision must, and ought to be postponed to the general audit."

<sup>†</sup> The Pendrells and Mrs. Lane were among the small number of loyalists who were rewarded after the Restoration.—Grainger, vi. 2.

<sup>a</sup> This royal courtesan always behaved very respectfully to the queen, which was never a conduct adopted by her predecessor, the duchess of Cleveland, who, the queen used to say, was a cruel woman.—E. of Dartmouth. Oxford edition of this work.



the loss of a crown, as the greatest philosopher could have been. Nor did he willingly hearken to any of those projects, with which he often complained that his chancellor persecuted him. That in which he seemed most concerned was, to find money for supporting his expense. And it was often said, that, if Cromwell would have compounded the matter, and have given him a good round pension, that he might have been induced to resign his title to him. During his exile he delivered himself so entirely to his pleasures, that he became incapable of application. He spent little of his time in reading, or study, and yet less in thinking: and, in the state his affairs were then in, he accustomed himself to say to every person, and upon all occasions, that which he thought would please most: so that words or promises went very easily from him. And he had so ill an opinion of mankind, that he thought the great art of living and governing was, to manage all things and all persons with a depth of craft and dissimulation. And in that few men in the world could put on the appearances of sincerity better than he could: under which so much artifice was usually hid, that in conclusion he could deceive none, for all were become mistrustful of him. He had great vices, but scarcely any virtues to correct them: he had in him some vices that were less hurtful, which corrected his more hurtful ones. He was, during the active part of life, given up to sloth and lewdness to such a degree, that he hated business, and could not bear the engaging in any thing that gave him much trouble, or put him under any constraint: and though he desired to become absolute, and to overturn both our religion and our laws, yet he would neither run the risk, nor give himself the trouble, which so great a design required. He had an appearance of gentleness in his outward deportment, but he seemed to have no bowels nor tenderness in his nature; and in the end of his life he became cruel. He was apt to forgive all crimes, even blood itself; yet he never forgave any thing that was done against himself, after his first and general act of indemnity, which was to be reckoned as done rather upon maxims of state than inclinations of mercy. He delivered himself up to a most enormous course of vice, without any sort of restraint, even from the consideration of the nearest relations: the most studied extravagancies that way seemed, to the very last, to be much delighted in, and pursued by him. He had the art of making all people grow fond of him at first, by a softness in his whole way of conversation, as he was certainly the best bred man of the age. But when it appeared how little could be built on his promise, they were cured of the fondness that he was apt to raise in them. When he saw young men of quality, who had something more than ordinary in them, he drew them about him, and set himself to corrupt them both in religion and morality; in which he proved so unhappily successful, that he left England much changed at his death from what he had found it at his restoration. He loved to talk over all the stories of his life to every new man that came about him. His stay in Scotland, and the share he had in the war of Paris, in carrying messages from the one side to the other, were his common topics. He went over these in a very graceful manner; but so often, and so copiously, that all those who had been long accustomed to them grew weary of them: and when he entered on those stories they usually withdrew; so that he often began them in a full audience, and before he had done there were not above four or five left about him: which drew a severe jest from Wilmot, earl of Rochester. He said, he wondered to see a man have so good a memory as to repeat the same story without losing the least circumstance, and yet not remember that he had told it to the same persons the very day before. This made him fond of strangers; for they hearkened to all his often repeated stories, and went away as in a rapture at such an uncommon condescension in a king.

His person and temper, his vices as well as his fortunes, resemble the character that we have given us of Tiberius so much, that it were easy to draw the parallel between them. Tiberius's banishment, and his coming afterwards to reign, makes the comparison in that respect come pretty near. His hating of business, and his love of pleasures; his raising of favourites, and trusting them entirely; and his pulling them down, and hating them excessively; his art of covering deep designs, particularly of revenge, with an appearance of softness, brings them so near a likeness, that I did not wonder much to observe the resemblance of their face and person. At Rome I saw one of the last statues made for Tiberius, after he had lost his teeth. But, abating the alteration which that made, it was so like king Charles,

that prince Borghese, and Signior Dominico to whom it belonged, did agree with me in thinking that it looked like a statue made for him.

Few things ever went near his heart. The duke of Gloucester's death seemed to touch him much. But those who knew him best thought it was, because he had lost him by whom only he could have balanced the surviving brother, whom he hated, and yet embroiled all his affairs to preserve the succession to him.

His ill conduct in the first Dutch war, and those terrible calamities of the plague, and fire of London, with that loss and reproach which he suffered by the insult at Chatham, made all people conclude there was a curse upon his government. His throwing the public hatred at that time upon lord Clarendon was both unjust and ungrateful. And when his people had brought him out of all his difficulties upon his entering into the triple alliance, his selling that to France, and his entering on the second Dutch war with as little colour as he had for the first; his beginning it with the attempt on the Dutch Smyrna fleet; the shutting up the Exchequer; and his declaration for toleration, which was a step for the introduction of popery; made such a chain of black actions, flowing from blacker designs, that it amazed those who had known all this to see, with what impudent strains of flattery, addresses were penned during his life, and yet more grossly after his death. His contributing so much to the raising the greatness of France, chiefly at sea, was such an error, that it could not flow from want of thought, or of true sense. Rouvigné told me, he desired that all the methods the French took in the increase and conduct of their naval force might be sent him. And, he said, he seemed to study them with concern and zeal. He shewed what errors they committed, and how they ought to be corrected, as if he had been a viceroy to France, rather than a king that ought to have watched over and prevented the progress they made, as the greatest of all the mischiefs that could happen to him or to his people. They that judged the most favourably of this, thought it was done out of revenge to the Dutch, that, with the assistance of so great a fleet as France could join to his own, he might be able to destroy them. But others put a worse construction on it; and thought, that seeing he could not quite master, or deceive his subjects by his own strength and management, he was willing to help forward the greatness of the French at sea, that by their assistance he might more certainly subdue his own people; according to what was generally believed to have fallen from lord Clifford, that, if the king must be in a dependence, it was better to pay it to a great and generous king, than to five hundred of his own insolent subjects.

No part of his character looked more wicked, as well as meaner, than that he, all the while that he was professing to be of the church of England, expressing both zeal and affection to it, was yet secretly inclined to the church of Rome: thus, mocking God, and deceiving the world with so gross a prevarication. And his not having the honesty or courage to own it at the last; his not shewing any sign of the least remorse for his ill led life, or any tenderness either for his subjects in general, or for the queen and his servants; and his recommending only his mistresses and their children to his brother's care, would have been a strange conclusion to any other's life, but was well enough suited to all the other parts of his.

The two papers found in his strong box concerning religion, and afterwards published by his brother, looked like study and reasoning. Tennison told me, he saw the original in Pepys's hand, to whom king James trusted them for some time. They were interlined in several places. And the interlinings seemed to be written in a hand different from that in which the papers were written. But he was not so well acquainted with the king's hand, as to make any judgment in the matter, whether they were written by him or not. All that knew him, when they read them, did without any sort of doubting conclude, that he never composed them: for he never read the scriptures, nor laid things together, further than to turn them to a jest, or for some lively expression. These papers were probably written either by lord Bristol, or by lord Aubigny, who knew the secret of his religion, and gave him those papers, as abstracts of some discourses they had with him on those heads, to keep him fixed to them. And it is very probable that they, apprehending their danger if any such papers had been found about him written in their hand, might prevail with him to copy them out himself, though his laziness that way made it certainly no easy thing to bring him to give

himself so much trouble. He had talked over a great part of them to myself: so that, as soon I saw them, I remembered his expressions, and perceived that he had made himself master of the argument, as far as those papers could carry him. But the publishing them shewed a want of judgment, or of regard to his memory, in those who did it: for the greatest kindness that could be shewn to his memory, would have been, to let both his papers and himself be forgotten.

Which I should certainly have done, if I had not thought that the laying open of what I knew concerning him and his affairs might be of some use to posterity. And therefore, how ungrateful soever this labour has proved to myself, and how unacceptable soever it may be to some, who are either obliged to remember him gratefully, or by the engagement of parties and interests are under other biasses, yet I have gone through all that I knew relating to his life and reign with that regard to truth, and what I think may be instructive to mankind, which became an impartial writer of history, and one who believes, that he must give an account to God of what he writes, as well as of what he says and does \*.

\* Another character of Charles the Second, agreeing closely with the preceding, yet in less severe terms, is given by Dr. Wellwood, another contemporary, in his "Memoirs." Both, and indeed all historians of his reign, shew that he was a selfish, witty profligate—totally with-

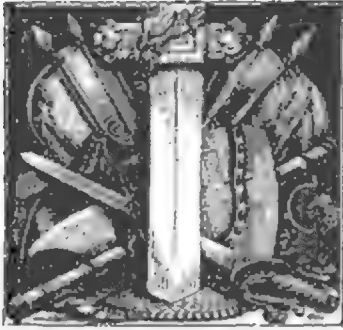
out any fixed generous principle, and agreeing with his portrait so tersely drawn by the earl of Rochester, when he observed, that "the king never said a silly thing; and never did a wise one."

#### THE END OF KING CHARLES THE SECOND'S REIGN.



## BOOK IV.

### OF THE REIGN OF KING JAMES THE SECOND.



AM now to prosecute this work, and to give the relation of an inglorious and unprosperous reign, that was begun with great advantages; but these were so poorly managed, and so ill improved, that bad designs were ill laid, and worse conducted; and all came in conclusion to one of the strangest catastrophes that is in any history. A great king with strong armies, and mighty fleets, a vast treasure, and powerful allies, fell all at once: and his whole strength, like a spider's web, was so irrecoverably broken with a touch, that he was never able to retrieve, what for want both of judgment, and heart, he threw up in a day. Such

an unexpected revolution deserves to be well opened; I will do it as fully as I can. But, having been beyond sea almost all this reign, many small particulars, that may well deserve to be remembered, may have escaped me; yet as I had good opportunities to be well informed, I will pass over nothing that seems of any importance to the opening such great and unusual transactions. I will endeavour to watch over my pen with more than ordinary caution, that I may let no sharpness, from any ill usage I myself met with, any way possess my thoughts, or bias my mind: on the contrary, the sad fate of this unfortunate prince will make me the more tender in not aggravating the errors of his reign. As to my own particular, I will remember how much I was once in his favour, and how highly I was obliged to him. And as I must let his designs and miscarriages be seen, so I will open things as fully as I can, that it may appear on whom we ought to lay the chief load of them: which indeed ought to be chiefly charged on his religion, and on those who had the management of his conscience, his priests, and his Italian queen: which last had hitherto acted a popular part with great artifice and skill, but came now to take off the mask, and to discover herself.

This prince was much neglected in his childhood, during the time he was under his father's care. The parliament, getting him into their hands, put him under the earl of Northumberland's government, who, as the duke himself told me, treated him with great respect, and a very tender regard. When he escaped out of their hands, by the means of colonel Bamfield, his father wrote to him a letter in cypher, concluding in these plain words, "Do this as you expect the blessing of your loving father." This was sent to William, duke of Hamilton, but came after he had made his escape: and so I found it among his papers; and I gave it to the duke of York in the year 1674. He said to me, he believed he had his father's cypher among his papers, and that he would try to decipher the letter; but I believe he never did it. I told him I was confident, that as the letter was written when his escape was under consideration, so it contained an order to go to the queen, and to be obedient to her in all things, except in matters of religion. The king appointed sir John Berkeley, afterwards lord Berkeley, to be his governor. It was a strange choice, if it was not, because in such a want of men who stuck then to the king, there were few capable in any sort of such a trust. Berkeley was bold, and insolent, and seemed to lean to popery: he was certainly very arbitrary, both in his temper and notions. The queen took such a particular care of this prince, that he was soon observed to have more of her favour than either of his two brothers; and she was so set on making proselytes, hoping that "to save a soul" would cover a "multitude of sins," that it is not to be doubted but she used more than ordinary arts to draw him over to her religion. Yet, as he himself told me, he stood out against her practices.

During his stay in France he made some campaigns under M. de Turenne, who took him so particularly under his care, that he instructed him in all that he undertook, and shewed him the reasons of every thing he did so minutely, that he had great advantages by being formed under the greatest general of the age. Turenne was so much taken with his application, and the heat that he shewed, that he recommended him out of measure. He said often of him: "There was the greatest prince, and like to be the best general of his time." This raised his character so much, that the king was not a little eclipsed by him. Yet he quickly ran into amours and vice; and that by degrees wore out any courage that had appeared in his youth. And in the end of his life he came to lose the reputation of a brave man and a good captain so entirely, that either he was never that which flatterers gave out concerning him, or his age and affairs wrought a very unusual change on him.

He seemed to follow his mother's maxims all the while he was beyond sea. He was the head of a party that was formed in the king's small court against lord Clarendon. And it was believed that his applications to lord Clarendon's daughter were made at first, on design to dishonour his family, though she had the address to turn it another way\*.

After his brother's restoration he applied himself much to the marine, in which he arrived at great skill, and brought the fleet so entirely into his dependence, that even after he laid down the command, he was still the master of our whole sea force. He had now for these last three years directed all our counsels with so absolute an authority, that the king seemed to have left the government wholly in his hands: only the unlooked-for bringing in the duke of Monmouth put him under no small apprehensions, that at some time or other the king might slip out of his hands: now that fear was over.

The king was dead; and so all the court went immediately and paid their duty to him. Orders were presently given for proclaiming him king. It was a heavy solemnity; few tears were shed for the former, nor were there any shouts of joy for the present king. A dead silence, but without any disorder or tumult, followed it through the streets†. When the privy councillors came back from the proclamation, and waited on the new king, he made a short speech to them; which it seems was well considered, and much liked by him, for he repeated it to his parliament, and upon several other occasions.

He began with an expostulation for the ill character that had been entertained of him. He told them, in very positive words, that he would never depart from any branch of his prerogative: but with that he promised that he would maintain the liberty and property of the subject. He expressed his good opinion of the church of England, as a friend to monarchy. Therefore, he said, he would defend and maintain the church, and would preserve the government in church and state, as it was established by law.

This speech was soon printed, and gave great content to those who believed that he would stick to the promises made in it; and those few, who did not believe it, yet durst not seem to doubt of it. The pulpits of England were full of it, and of thanksgiving for it. It was magnified as a security far greater than any that laws could give. The common phrase was, We have now the "word of a king, and a word never yet broken."

Upon this a new set of addresses went round England, in which the highest commendations, that flattery could invent, were given to the late king; and assurances of loyalty and fidelity were renewed to the king, in terms that shewed there were no jealousies, nor fears left. The University of Oxford in their address promised to obey the king, "without limitations, or restrictions." The king's promise passed for a thing so sacred, that they were looked on as ill bred, that put in their address, "our religion established by law;" which looked like a tie on the king to maintain it: whereas the stile of the more courtly was, to put all our security upon the king's promise. The clergy of London added a word to this in their address, "our religion established by law, dearer to us than our lives." This had such

\* The progress of this match, and the distress it caused lord Clarendon, are fully detailed in that nobleman's "Autobiography."

† This statement of Burnet is contradicted by other contemporaries. The earl of Dartmouth says, the commonalty especially deplored the loss of Charles, for they

had lived in ease and plenty during his reign; and Colley Cibber, no friend of the Stuarts, bears a similar testimony in his autobiography. Sir John Keresby in his Memoirs, makes the same observation. Wellwood and Calamy in their Memoirs unite in agreeing that the accession of James was hailed with the loudest acclamations.

an insinuation in it, as made it very unacceptable. Some followed their pattern. But this was marked to be remembered against those that used so menacing a form.

All employments were ended of course with the life of the former king; but the king continued all in their places: only the posts in the household were given to those who had served the king, while he was duke of York. The marquis of Halifax had reason to look on himself as in ill terms with the king: so in a private audience he made the best excuses he could for his conduct of late. The king diverted the discourse, and said, he would forget every thing that was past, except his behaviour in the business of the exclusion. The king also added, that he would expect no other service of him than what was consistent with law. He prepared him for the exaltation of the earl of Rochester. He said, he had served him well, and had suffered on his account, and therefore he would now shew favour to him: and the next day he declared him lord treasurer. His brother, the earl of Clarendon, was made lord privy seal: and the marquis of Halifax was made lord president of the council. The earl of Sunderland was looked on as a man lost at court: and so was lord Godolphin. But the former of these insinuated himself so into the queen's confidence, that he was, beyond all people's expectation, not only maintained in his posts, but grew into great degree of favour.

The queen was made to consider the earl of Rochester as a person that would be in the interest of the king's daughters, and united to the church party. So she saw it was necessary to have one in a high post, who should depend wholly on her, and be entirely hers. And the earl of Sunderland was the only person capable of that. The earl of Rochester did upon his advancement become so violent and boisterous, that the whole court joined to support the earl of Sunderland, as the proper balance to the other. Lord Godolphin was put in a great post in the queen's household.

But before the earl of Rochester had the white staff, the court engaged the lord Godolphin, and the other lords of the treasury, to send orders to the commissioners of the customs, to continue to levy the customs, though the act that granted them to the late king was only for his life, and so was now determined with it. It is known how much this matter was contested in king Charles the First's time, and what had passed upon it. The legal method was to have made entries, and to have taken bonds for those duties, to be paid when the parliament should meet, and renew the grant. Yet the king declared, that he would levy the customs, and not stay for the new grant. But though this did not agree well with the king's promise of maintaining liberty and property, yet it was said in excuse for it, that, if the customs should not be levied in this interval, great importations would be made, and the markets would be so stocked, that this would very much spoil the king's customs. But in answer to this it was said again, entries were to be made, and bonds taken, to be sued, when the act granting them should pass. Endeavours were used with some of the merchants to refuse to pay those duties, and to dispute the matter in Westminster Hall; but none would venture on so bold a thing. He who should begin any such opposition would probably be ruined by it; so none would run that hazard. The earl of Rochester got this to be done before he came into the treasury; so he pretended, that he only held on in the course that was begun by others.

The additional excise had been given to the late king only for life. But there was a clause in the act, that empowered the Treasury to make a farm of it for three years, without adding a limiting clause, in case it should be so long due. And it was thought a great stretch of the clause, to make a fraudulent farm, by which it should continue to be levied three years after it was determined, according to the letter and intendment of the act. A farm was now brought out, as made during the king's life, though it was well known that no such farm had been made; for it was made after his death, but a false date was put to it. This matter seemed doubtful. It was laid before the judges. And they all, except two, were of opinion that it was good in law. So two proclamations were ordered, the one for levying the customs, and the other for the excise.

These came out in the first week of the reign, and gave a melancholy prospect. Such beginnings did not promise well, and raised just fears in the minds of those who considered the consequences of such proceedings. They saw, that, by violence and fraud, duties were now



to be levied without law. But all people were under the power of fear, or flattery, to such a degree, that none durst complain, and few would venture to talk of those matters.

Persons of all ranks went, in such crowds, to pay their duty to the king, that it was not easy to admit them all. Most of the Whigs that were admitted were received coldly at best. Some were sharply reproached for their past behaviour. Others were denied access. The king began likewise to say, that he would not be served as his brother had been: he would have all about him serve him without reserve, and go thorough in his business. Many were amazed to see such steps made at first. The second Sunday after he came to the throne, he, to the surprise of the whole court, went openly to mass, and sent Caryl to Rome with letters to the Pope, but without a character.

In one thing only the king seemed to comply with the genius of the nation, though it proved in the end to be only a shew. He seemed resolved not to be governed by French counsels, but to act in an equality with that haughty monarch in all things. And, as he entertained all the other foreign ministers with assurances that he would maintain the balance of Europe with a more steady hand than had been done formerly, so when he sent over the lord Churchill to the court of France, with the notice of his brother's death, he ordered him to observe exactly the ceremony and state with which he was received, that he might treat him, who should be sent over with the compliment in return to that, in the same manner. And this he observed very punctually, when the marshal de Lorge came over. This was set about by the courtiers, as a sign of another spirit, that might be looked for in a reign so begun. And this made some impression on the court of France, and put them to a stand. But, not long after this, the French king said to the duke of Villeroy, (who told it to young Rouvigny, now earl of Galloway, from whom I had it,) that the king of England, after all the high things given out in his name, was willing to take his money, as well as his brother had done.

The king did also give out, that he would live in a particular confidence with the prince of Orange, and the States of Holland. And, because Chudleigh, the envoy there, had openly broken with the prince, (for he not only waited no more on him, but acted openly against him; and once in the Vorhaut had affronted him, while he was driving the princess upon the snow in a traineau, according to the German manner, and pretending they were masked, and that he did not know them, had ordered his coachman to keep his way, as they were coming towards the place where he drove;) the king recalled him, and sent Skelton in his room, who was the haughtiest, but withal the weakest man, that he could have found out. He talked out all secrets, and made himself the scorn of all Holland\*. The courtiers now said every where, that we had a martial prince who loved glory, who would bring France into as humble a dependence on us, as we had been formerly on that court.

The king did, some days after his coming to the crown, promise the queen and his priests, that he would see Mrs. Sedley no more, by whom he had some children. And he spoke openly against lewdness, and expressed a detestation of drunkenness. He sat many hours a day about business with the council, the treasury, and the admiralty. It was upon this said, that now we should have a reign of action and business, and not of sloth and luxury, as the last was. Mrs. Sedley had lodgings in Whitehall: orders were sent to her to leave them. This was done to mortify her; for she pretended that she should now govern as absolutely as the duchess of Portsmouth had done: yet the king still continued a secret commerce with her. And thus he began his reign with some fair appearances. A long and great frost had so shut up the Dutch ports, that for some weeks they had no letters from England: at last the news of the king's sickness and death, and of the beginnings of the new reign, came to them all at once.

The first difficulty the prince of Orange was in, was with relation to the duke of Monmouth. He knew the king would immediately, after the first compliments were over, ask him to dismiss him, if not to deliver him up. And as it was no way decent for him to break with the king upon such a point, so he knew the States would never bear it. He thought it better to dismiss him immediately, as of himself. The duke of Monmouth seemed sur-

\* The prince of Orange soon detected him corresponding with those who were obnoxious to him, and desired his recall.—Singer's Clarendon Correspondence, i. 164.

prised at this. Yet at parting he made great protestations both to the prince and princess of an inviolable fidelity to their interests. So he retired to Brussels, where he knew he could be suffered to stay no longer than till a return should come from Spain, upon the notice of king Charles's death, and the declarations that the king was making of maintaining the balance of Europe. The duke was upon that thinking to go to Vienna, or to some court in Germany; but those about him studied to inflame him both against the king and the prince of Orange. They told him, the prince, by casting him off, had cancelled all former obligations, and set him free from them: he was now to look to himself; and instead of wandering about as a vagabond, he was to set himself to deliver his country, and to raise his party and his friends, who were now likely to be used very ill, for their adhering to him, and to his interest.

They sent one over to England to try men's pulses, and to see if it was yet a proper time to make an attempt. Wildman, Charlton, and some others, went about trying if men were in a disposition to encourage an invasion. They talked of this in so remote a way of speculation, that though one could not but see what lay at bottom, yet they did not run into treasonable discourse. I was in general sounded by them: yet nothing was proposed that ran me into any danger from concealing it. I did not think fears and dangers, nor some illegal acts in the administration, could justify an insurrection, as lawful in itself: and I was confident an insurrection undertaken on such grounds would be so ill seconded, and so weakly supported, that it would not only come to nothing, but it would precipitate our ruin. Therefore I did all I could to divert all persons with whom I had any credit from engaging in such designs. These were for some time carried on in the dark. The king, after he had put his affairs in a method, resolved to hasten his coronation, and to have it performed with great magnificence: and for some weeks he was so entirely possessed with the preparations for that solemnity, that all business was laid aside, and nothing but ceremony was thought on.

At the same time a parliament was summoned; and all arts were used to manage elections so, that the king should have a parliament to his mind. Complaints came up from all the parts of England, of the injustice and violence used in elections, beyond what had ever been practised in former times. And this was so universal over the whole nation, that no corner of it was neglected. In the new charters that had been granted, the election of the members was taken out of the hands of the inhabitants, and restrained to the corporation-men, all those being left out who were not acceptable at court. In some boroughs they could not find a number of men to be depended on: so the neighbouring gentlemen were made the corporation-men: and, in some of these, persons of other counties, not so much as known in the borough, were named. This was practised in the most avowed manner in Cornwall by the earl of Bath; who, to secure himself the groom of the stole's place, which he held all king Charles's time, put the officers of the guards' names in almost all the charters of that county; which sending up forty-four members, they were for most part so chosen, that the king was sure of their votes on all occasions.

These methods were so successful over England, that when the elections were all returned, the king said, there were not above forty members, but such as he himself wished for. They were neither men of parts, nor estates: so there was no hope left, either of working on their understandings, or of making them see their interest, in not giving the king all at once. Most of them were furious and violent, and seemed resolved to recommend themselves to the king, by putting every thing in his power, and by ruining all those who had been for the exclusion. Some few had designed to give the king the revenue only from three years to three years. The earl of Rochester told me, that was what he looked for, though the post he was in made it not so proper for him to move in it. But there was no prospect of any strength in opposing anything that the king should ask of them.

This gave all thinking men a melancholy prospect. England now seemed lost, unless some happy accident should save it. All people saw the way for packing a parliament now laid open. A new set of charters and corporation-men, if those now named should not continue to be still as compliant, as they were at present, was a certain remedy, to which recourse might be easily had. The boroughs of England saw their privileges now wrested out of their hands, and that their elections, which had made them so considerable before, were here-

after to be made as the court should direct ; so that from henceforth little regard would be had to them ; and the usual practices in courting, or rather in corrupting them, would be no longer pursued. Thus all people were alarmed ; but few durst speak out, or complain openly : only the duke of Monmouth's agents made great use of this to inflame their party. It was said, here was a parliament to meet, that was not the choice and representative of the nation, and therefore was no parliament. So they upon this possessed all people with dreadful apprehensions, that a blow was now given to the constitution, which could not be remedied, but by an insurrection. It was resolved to bring up petitions against some elections, that were so indecently managed, that it seemed scarcely possible to excuse them ; but these were to be judged by a majority of men, who knew their own elections to be so faulty, that to secure themselves they would justify the rest : and fair dealing was not to be expected from those who were so deeply engaged in the like injustice.

All that was offered on the other hand to lay those fears, which so ill an appearance did raise, was, that it was probable the king would go into measures against France. All the offers of submission possible were made him by Spain, the empire, and the States.

The king had begun with the prince of Orange upon a hard point. He was not satisfied with his dismissing the duke of Monmouth, but wrote to him to break all those officers who had waited on him while he was in Holland. In this they had only followed the prince's example ; so it was hard to punish them for that, which he himself had encouraged. They had indeed shewn their affections to him so evidently, that the king wrote to the prince, that he could not trust to him, nor depend on his friendship, as long as such men served under him. This was of a hard digestion. Yet, since the breaking them could be easily made up by employing them afterwards, and by continuing their appointments to them, the prince complied in this likewise. And the king was so well pleased with it, that when bishop Turner complained of some things relating to the prince and princess, and proposed rougher methods, the king told him, it was absolutely necessary that the prince and he should continue in good correspondence. Of this Turner gave an account to the other bishops, and told them very solemnly, that the church would be in no hazard during the present reign ; but that they must take care to secure themselves against the prince of Orange, otherwise they would be in great danger.

The submission of the prince and the States to the king made some fancy, that this would overcome him. All people concluded, that it would soon appear whether bigotry, or a desire of glory was the prevailing passion ; since if he did not strike in with an alliance, that was then projected against France, it might be concluded that he was resolved to deliver himself up to his priests, and to sacrifice all to their ends. The season of the year made it to be hoped, that the first session of parliament would be so short, that much could not be done in it, but that when the revenue should be granted, other matters might be put off to a winter session. So that, if the parliament should not deliver up the nation in a heat all at once, but should leave half their work to another session, they might come under some management, and either see the interest of the nation in general, or their own in particular ; and manage their favours to the court in such a manner as to make themselves necessary, and not to give away too much at once, but be sparing in their bounty ; which they had learned so well in king Charles's time, that it was to be hoped they would soon fall into it, if they made not too much haste at their first setting out. So it was resolved not to force them on too hastily in their first session, to judge of any election, but to keep that matter entire for some time, till they should break into parties.

The coronation was set for St. George's day. Turner was ordered to preach the sermon ; and both king and queen resolved to have all done in the protestant form, and to assist in all the prayers : only the king would not receive the sacrament, which is always a part of the ceremony. In this certainly his priests dispensed with him, and he had such senses given him of the oath, that he either took it as unlawful with a resolution not to keep it, or he had a reserved meaning in his own mind. The crown was not well fitted for the king's head : it came down too far, and covered the upper part of his face. The canopy carried over him did also break. Some other smaller things happened that were looked on as ill omens : and his son by Mrs. Sedley died that day. The queen with the peccesses made a more graceful



figure. The best thing in Turner's sermon was, that he set forth that part of Constantius Chlorus's history very handsomely, in which he tried who would be true to their religion, and reckoned that those would be faithfullest to himself who were truest to their God.

I must now say somewhat concerning myself. At this time I went out of England. Upon king Charles's death, I had desired leave to come and pay my duty to the king, by the marquis of Halifax. The king would not see me. So, since I was at that time in no sort of employment, not so much as allowed to preach any where, I resolved to go abroad. I saw we were likely to fall into great confusion; and were either to be rescued, in a way that I could not approve of, by the duke of Monmouth's means, or to be delivered up, by a meeting that had the face and name of a parliament. I thought the best thing for me was to go out of the way. The king approved of this, and consented to my going; but still refused to see me. So I was to go beyond sea, as to a voluntary exile. This gave me great credit with all the mal-contents: and I made the best use of it I could. I spoke very earnestly to the lord Delamer, to Mr. Hambden, and such others as I could meet with, who I feared might be drawn in by the agents of the duke of Monmouth. The king had not yet done that which would justify extreme counsels; a raw rebellion would be soon crushed, and give a colour for keeping up a standing army, or for bringing over a force from France. I perceived many thought the constitution was so broken into, by the elections of the house of commons, that they were disposed to put all to hazard. Yet most people thought the crisis was not so near as it proved to be.

The deliberations in Holland, among the English and Scotch that fled thither, came to ripen faster than was expected. Lord Argyle had been quiet ever since the disappointment in the year eighty-three. He had lived for most part in Friezland, but came often to Amsterdam, and met with the rest of his countrymen that lay concealed there: the chief of whom were the lord Melvill, sir Patrick Hume, and sir John Cochran. With these lord Argyle communicated all the advices that were sent him. He went on still with his first project. He said, he wanted only a sum of money to buy arms, and reckoned, that as soon as he was furnished with these, he might venture on Scotland. He resolved to go to his own country, where he hoped he could bring five thousand men together. And he reckoned that the western and southern counties were under such apprehensions, that without laying of matters, or having correspondence among them, they would all at once come about him, when he had gathered a good force together in his own country. There was a rich widow in Amsterdam, who was full of zeal: so she, hearing at what his designs stuck, sent to him, and furnished him with ten thousand pounds\*. With this money he bought a stock of arms and ammunition, which was very dexterously managed by one that traded to Venice, as intended for the service of that republic. All was performed with great secrecy, and put on board. They had sharp debates among them about the course they were to hold. He was for sailing round Scotland to his own country. Hume was for the shorter passage: the other was a long navigation, and subject to great accidents. Argyle said, the fastnesses of his own country made that to be the safer place to gather men together. He presumed so far on his own power, and on his management hitherto, that he took much upon him: so that the rest were often on the point of breaking with him.

The duke of Monmouth came secretly to them, and made up all their quarrels. He would willingly have gone with them himself; but Argyle did not offer him the command: on the contrary he pressed him to make an impression on England at the same time. This was not possible; for the duke of Monmouth had yet made no preparations. So he was hurried into a fatal undertaking before things were in any sort ready for it. He had been indeed much pressed to the same thing by Wade, Ferguson, and some others about him, but chiefly by the lord Grey, and the lady Wentworth, who followed him to Brussels desperately in love with him. And both he and she came to fancy, that he being married to his duchess, while he was indeed of the age of consent, but not capable of a free one, the marriage was null: so they lived together: and she had heated both herself and him with such enthusiastical conceits, that they fancied what they did was approved of God. With this small council he

\* In lord Grey's papers it is stated that the celebrated Mr. Locke, being in Holland, companion to his patron the earl of Shaftesbury, then in exile, advanced 1,000*l.* towards this enterprise.—Oxford edition of this work.

took his measures. Fletcher, a Scotch gentleman of great parts, and many virtues, but a most violent republican, and extravagantly passionate, did not like Argyle's scheme: so he resolved to run fortunes with the duke of Monmouth. He told me, that all the English among them were still pressing the duke of Monmouth to venture. They said, all the west of England would come about him, as soon as he appeared, as they had done five or six years ago. They reckoned there would be no fighting, but that the guards, and others who adhered to the king, would melt to nothing before him. They fancied the city of London would be in such a disposition to revolt, that, if he should land in the west, the king would be in great perplexity. He could not have two armies; and his fear of tumults near his person would oblige him to keep such a force about him, that he would not be able to send any against him. So they reckoned he would have time to form an army, and in a little while be in a condition to seek out the king, and fight him on equal terms.

This appeared a mad and desperate undertaking to the duke of Monmouth himself. He knew what a weak body a rabble was, and how unable to deal with troops long trained. He had neither money, nor officers, and no encouragement from the men of estates and interest in the country. It seemed too early yet to venture. It was the throwing away all his hopes in one day. Fletcher, how vehemently soever he was set on the design in general, yet saw nothing in this scheme that gave any hopes: so he argued much against it. And he said to me, that the duke of Monmouth was pushed on to it against his own sense and reason: but he could not refuse to hazard his person, when others were so forward. Lord Grey said, that Henry the seventh landed with a smaller number, and succeeded. Fletcher answered, he was sure of several of the nobility, who were little princes in those days. Ferguson in his enthusiastical way said, it was a good cause, and that God would not leave them unless they left him. And though the duke of Monmouth's course of life gave him no great reason to hope that God would appear signally for him, yet even he came to talk enthusiastically on the subject. But Argyle's going, and the promise he had made of coming to England with all possible haste, had so fixed him, that, all further deliberations being laid aside, he pawned a parcel of jewels, and bought up arms; and they were put aboard a ship freighted for Spain.

King James was so intent upon the pomp of his coronation, that for some weeks more important matters were not thought on. Both Argyle's and Monmouth's people were so true to them, that nothing was discovered by any of them. Yet some days after Argyle had sailed, the king knew of it: for the night before I left London, the earl of Arran came to me, and told me, the king had an advertisement of it that very day. I saw it was fit for me to make haste; otherwise I might have been seized on, if it had been only to put the affront on me, of being suspected of holding correspondence with traitors.

Argyle had a very prosperous voyage. He sent out a boat at Orkney to get intelligence, and to take prisoners. This had no other effect, but that it gave intelligence where he was: and the wind chopping, he was obliged to sail away, and leave his men to mercy. The winds were very favourable, and turned as his occasions required: so that in a very few days he arrived in Argyleshire. The misunderstandings between him and Hume grew very high; for he carried all things with an air of authority, that was not easy to those who were setting up for liberty. At his landing he found, that the early notice the council had of his designs had spoiled his whole scheme; for they had brought in all the gentlemen of his country to Edinburgh, which saved them, though it helped on his ruin. Yet he got above five-and-twenty hundred men to come to him. If with these he had immediately gone over to the western counties of Ayr and Renfrew, he might have given the government much trouble. But he lingered too long, hoping still to have brought more of his Highlanders together. He reckoned these were sure to him, and would obey him blindfold: whereas if he had gone out of his own country with a small force, those who might have come in to his assistance might also have disputed his authority: and he could not bear contradiction. Much time was by this means lost: and all the country was summoned to come out against him. At last he crossed an arm of the sea, and landed in the isle of Bute; where he spent twelve days more, till he had eat up that island, pretending still, that he hoped to be joined by more of his Highlanders.

He had left his arms in a castle, with such a guard as he could spare; but they were

routed by a party of the king's forces: and with this he lost both heart and hope. And then, apprehending that all was gone, he put himself in a disguise, and had almost escaped; but he was taken. A body of gentlemen that had followed him stood better to it, and forced their way through; so that the greater part of them escaped. Some of these were taken: the chief of them were sir John Cochran, Ayloffe, and Rumbold. These two last were Englishmen: but I knew not upon what motive it was, that they chose rather to run fortunes with Argyle, than with the duke of Monmouth. Thus was this rebellion brought to a speedy end, with the effusion of very little blood. Nor was there much shed in the way of justice, for it was considered, that the Highlanders were under such ties by their tenure, that it was somewhat excusable in them to follow their lord. Most of the gentlemen were brought in by order of council to Edinburgh, which preserved them. One of those that were with Argyle, by a great presence of mind, got to Carlisle, where he called for post horses; and said, he was sent by the general to carry the good news by word of mouth to the king. And so he got to London, and there he found a way to get beyond sea.

Argyle was brought into Edinburgh: he expressed even a cheerful calm under all his misfortunes. He justified all he had done; for, he said, he was unjustly attainted: that had dissolved his allegiance: so it was justice to himself and his family, to endeavour to recover what was so wrongfully taken from him. He also thought, that no allegiance was due to the king, till he had taken the oath which the law prescribed to be taken by our kings at their coronation, or the receipt of their princely dignity. He desired that Mr. Charteris might be ordered to attend upon him; which was granted. When he came to him, he told him he was satisfied in conscience with the lawfulness of what he had done, and therefore desired he would not disturb him with any discourse on that subject. The other, after he had told him his sense of the matter, complied easily with this. So all that remained was to prepare him to die, in which he expressed an unshaken firmness. The duke of Queensbury examined him in private. He said, he had not laid his business with any in Scotland: he had only found credit with a person that lent him money; upon which he had trusted, perhaps too much, to the dispositions of the people, sharpened by their administration. When the day of his execution came, Mr. Charteris happened to come to him as he was ending dinner: he said to him pleasantly, "*serò venientibus ossa.*" He prayed often with him, and by himself, and went to the scaffold with great serenity. He had complained of the duke of Monmouth much, for delaying his coming so long after him, and for assuming the name of king; both which, he said, were contrary to their agreement at parting. Thus he died, pitied by all. His death, being pursuant to the sentence passed three years before, of which mention was made, was looked on as no better than murder. But his conduct in this matter was made up of so many errors, that it appeared he was not made for designs of this kind.

Ayloffe had a mind to prevent the course of justice, and having got a penknife into his hands gave himself several stabs; and thinking he was certainly a dead man, he cried out, and said, now he defied his enemies. Yet he had not pierced his guts; so his wounds were not mortal: and it being believed that he could make great discoveries, he was brought up to London.

Rumbold was he that dwelt in Rye-house, where it was pretended the plot was laid for murdering the late and the present king. He denied the truth of that conspiracy. He owned, he thought the prince was as much tied to the people, as the people were to the prince; and that, when a king departed from the legal measures of government, the people had a right to assert their liberties, and to restrain him. He did not deny but that he had heard many propositions at West's chambers about killing the two brothers; and upon that he had said, it could have been easily executed near his house; upon which some discourse had followed, how it might have been managed. But, he said, it was only talk, and that nothing was either laid, or so much as resolved on. He said, he was not for a commonwealth, but for kingly government, according to the laws of England; but he did not think that the king had his authority by any divine right, which he expressed in rough, but significant words. He said, he did not believe that God had made the greater part of mankind with saddles on their backs and bridles in their mouths, and some few booted and spurred to ride the rest.



Cochran had a rich father, the earl of Dundonald; and he offered the priests 5,000*l.* to save his son. They wanted a stock of money for managing their designs; so they interposed so effectually, that the bargain was made. But, to cover it, Cochran petitioned the council that he might be sent to the king; for he had some secrets of great importance, which were not fit to be communicated to any but to the king himself. He was upon that brought up to London; and, after he had been for some time in private with the king, the matters he had discovered were said to be of such importance, that in consideration of that the king pardoned him. It was said, he had discovered all their negotiations with the elector of Brandenburg, and the prince of Orange. But this was a pretence only given out to conceal the bargain; for the prince told me, he had never once seen him. The secret of this came to be known soon after.

When Ayloffé was brought up to London, the king examined him, but could draw nothing from him, but one severe repartee. He being sullen, and refusing to discover any thing, the king said to him; "Mr. Ayloffé, you know it is in my power to pardon you, therefore say that which may deserve it." It was said that he answered, that though it was in his power, yet it was not in his nature to pardon. He was nephew to the old earl of Clarendon by marriage; for Ayloffé's aunt was his first wife, but she had no children. It was thought, that the nearness of his relation to the king's children might have moved him to pardon him, which would have been the most effectual confutation of his bold repartee: but he suffered with the rest.

Immediately after Argyle's execution, a parliament was held in Scotland. Upon king Charles's death, the marquis of Queensbury, soon after made a duke, and the earl of Perth, came to court. The duke of Queensbury told the king, that if he had any thoughts of changing the established religion, he could not make any one step with him in that matter. The king seemed to receive this very kindly from him; and assured him, he had no such intention, but that he would have a parliament called, to which he should go his commissioner, and give all possible assurances in the matter of religion, and get the revenue to be settled, and such other laws to be passed as might be necessary for the common safety. The duke of Queensbury pressed the earl of Perth to speak in the same strain to the king. But, though he pretended to be still a protestant, yet he could not prevail on him to speak in so positive a style. I had not then left London; so the duke sent me word of this, and seemed so fully satisfied with it, that he thought all would be safe. So he prepared instructions by which both the revenue and the king's authority were to be carried very high. He has often since that time told me, that the king made those promises to him in so frank and hearty a manner, that he concluded it was impossible for him to be acting a part. Therefore he always believed that the priests gave him leave to promise every thing, and that he did it very sincerely; but that afterwards they pretended they had a power to dissolve the obligation of all oaths and promises; since nothing could be more open and free than his way of expressing himself was, though afterwards he had no sort of regard to any of the promises he then made. The Test had been the king's own act while he was in Scotland. So he thought the putting that on all persons would be the most acceptable method, as well as the most effectual, for securing the protestant religion. Therefore he proposed an instruction obliging all people to take the Test, not only to qualify them for public employments, but that all those to whom the council should tender it should be bound to take it, under the pain of treason: and this was granted. He also projected many other severe laws, that left an arbitrary power in the privy council. And, as he was naturally violent and imperious in his own temper, so he saw the king's inclinations to those methods, and hoped to have recommended himself effectually, by being instrumental in setting up an absolute and despotic form of government. But he found afterwards how he had deceived himself, in thinking that any thing, but the delivering up his religion, could be acceptable long. And he saw, after he had prepared a cruel scheme of government, other men were entrusted with the management of it: and it had almost proved fatal to himself.

The parliament of Scotland sat not long. No opposition was made. The duke of Queensbury gave very full assurances in the point of religion, that the king would never alter it, but would maintain it, as it was established by law. And in confirmation of them he

proposed that act enjoining the Test, which was passed, and was looked on as a full security; though it was very probable, that all the use that the council would make of this discretionary power lodged with them, would be only to tender the Test to those that might scruple it on other accounts, but that it would be offered to none of the church of Rome. In return for this the parliament gave the king for life, all the revenue that had been given to his brother; and with that some additional taxes were given.

Other severe laws were also passed. By one of these an inquisition was upon the matter set up. All persons were required, under the pain of treason, to answer to all such questions as should be put to them by the privy council. This put all men under great apprehensions, since upon this act an inquisition might have been grafted, as soon as the king pleased. Another act was only in one particular case; but it was a crying one, and so deserves to be remembered.

When Carstairs was put to the torture, and came to capitulate in order to the making a discovery, he got a promise from the council, that no use should be made of his deposition against any person whatsoever. He in his deposition said somewhat that brought sir Hugh Campbell and his son under the guilt of treason, who had been taken up in London two years before, and were kept in prison all this while. The earl of Melfort got the promise of his estate, which was about 1,000*l.* a year, as soon as he should be convicted of high treason. So an act was brought in, which was to last only six weeks; and enacted, that if within that time any of the privy council would depose that any man was proved to be guilty of high treason, he should upon such a proof be attainted. Upon which, as soon as the act was passed, four of the privy council stood up, and affirmed that the Campbells were proved by Carstairs's deposition to be guilty. Upon this both father and son were brought to the bar, to see what they had to say, why the sentence should not be executed. The old gentleman, then near eighty, seeing the ruin of his family was determined, and that he was condemned in so unusual a manner, took courage, and said, the oppression they had been under had driven them to despair, and made them think how they might secure their lives and fortunes: upon this he went to London, and had some meetings with Baillie, and others: that one was sent to Scotland to hinder all risings: that an oath of secrecy was indeed offered, but was never taken upon all this. So it was pretended he had confessed the crime, and by a shew of mercy they were pardoned: but the earl of Melfort possessed himself of their estate. The old gentleman died soon after. And very probably his death was hastened by his long and rigorous imprisonment, and this unexampled conclusion of it; which was so universally condemned, that when the news of it was written to foreign parts, it was not easy to make people believe it possible.

But now the sitting of the parliament of England came on. And, as a preparation to it, Oates was convicted of perjury, upon the evidence of the witnesses from St. Omer's, who had been brought over before to discredit his testimony. Now juries were so prepared, as to believe more easily than formerly. So he was condemned to have his priestly habit taken from him, to be a prisoner for life, to be set on the pillory in all the public places of the city, and ever after that to be set on the pillory four times a year, and to be whipped by the common hangman from Aldgate to Newgate one day, and the next from Newgate to Tyburn; which was executed with so much rigour, that his back seemed to be all over flayed. This was thought too little if he was guilty, and too much if innocent, and was illegal in all the parts of it: for as the secular court could not order the ecclesiastical habit to be taken from him, so to condemn a man to a perpetual imprisonment was not in the power of the court: and the extreme rigour of such whipping was without a precedent. Yet he, who was an original in all things, bore this with a constancy that amazed all those who saw it. So that this treatment did rather raise his reputation, than sink it.

And, that I may join things of the same sort together, though they were transacted at some distance of time, Dangerfield, another of the witnesses in the popish plot, was also found guilty of perjury, and had the same punishment: but it had a more terrible conclusion; for a brutal student of the law, who had no private quarrel with him, but was only transported with the heat of that time, struck him over the head with his cane, as he got his last lash. This hit him so fatally, that he died of it immediately. The person was apprehended,

and the king left him to the law : and, though great intercession was made for him, the king would not interpose. So he was hanged for it \*.

At last the parliament met. The king in his speech repeated that, which he had said to the council upon his first accession to the throne. He told them, some might think the keeping him low would be the surest way to have frequent parliaments : but they should find the contrary, that the using him well would be the best argument to persuade him to meet them often. This was put in to prevent a motion, which was a little talked of abroad, but none would venture on it within doors, that it was safest to grant the revenue only for a term of years.

The revenue was granted for life, and every thing else that was asked, with such a profusion, that the house was more forward to give, than the king was to ask : to which the king thought fit to put a stop by a message, intimating that he desired no more money that session. And yet this forwardness to give in such a reign, was set on by Musgrave and others, who pretended afterwards, when money was asked for just and necessary ends, to be frugal patriots, and to be careful managers of the public treasure.

As for religion, some began to propose a new and firmer security to it. But all the courtiers ran out into eloquent harangues on that subject ; and pressed a vote, that they took the king's word in that matter, and would trust to it ; and that this should be signified in an address to him. This would bind the king in point of honour, and gain his heart so entirely, that it would be a tie above all laws whatsoever. And the tide ran so strong that way, that the house went into it without opposition.

The lord Preston, who had been for some years envoy in France, was brought over, and set up to be a manager in the house of commons. He told them the reputation of the nation was beginning to rise very high all Europe over, under a prince whose name spread terror everywhere. And if this was confirmed by the entire confidence of his parliament, even in the tenderest matters, it would give such a turn to the affairs of Europe, that England would again hold the balance, and their king would be the arbiter of Europe. This was seconded by all the court flatterers. So in their address to the king, thanking him for his speech, they told him they trusted to him so entirely, that they relied on his word, and thought themselves and their religion safe, since he had promised it to them.

When this was settled, the petitions concerning the elections were presented. Upon those Seymour spoke very high, and with much weight. He said, the complaints of the irregularities in elections were so great, that many doubted whether this was a true representative of the nation or not. He said, little equity was expected upon petitions, where so many were too guilty to judge justly and impartially. He said it concerned them to look to these ; for if the nation saw no justice was to be expected from them, other methods would be found, in which they might come to suffer that justice which they would not do. He was a haughty man, and would not communicate his design in making this motion to any ; so all were surprised with it, but none seconded it. This had no effect, not so much as to draw on a debate.

The courtiers were projecting many laws to ruin all who opposed their designs. The most important of these was an act declaring treasons during that reign, by which words were to be made treason. And the clause was so drawn, that anything said to disparage the king's person or government was made treason : within which everything said to the dishonour of the king's religion would have been comprehended, as judges and juries were then modelled. This was chiefly opposed by serjeant Maynard, who, in a very grave speech, laid open the

\* Burnet is not quite accurate in the account of this melancholy catastrophe ; for there is reason to believe that the unfeeling law student alluded to, was punished to allay the popular discontent, rather than because his offence merited the penalty of death. It seems at the worst to have been only manslaughter. Mr. Francis, a Gray's-Inn student, asked Dangerfield, after his flogging, "how he liked his morning's heat?" Dangerfield, in return, spat in his face, which Francis as hastily resented by thrusting at him with a small cane he held in his hand ;

the end unfortunately pierced the sufferer's eye. Death was not the immediate consequence, but he lived so long afterwards in Newgate as to raise a doubt with the surgeons who attended the coroner's inquest, whether the flogging was not the cause of his death. Francis was tried and condemned to be executed : intercessions for his life would perhaps have succeeded, if Jeffreys had not declared that "Francis must die, for the rabble was thoroughly heated."—Higgon's Remarks on Burnet, 444 ; Woolrych's Life of Jeffreys, 262.



inconvenience of making words treason : they were often ill heard, and ill understood, and were apt to be miscredited by a very small variation ; men in passion, or in drink, might say things they never intended ; therefore, he hoped they would keep to the law of the twenty-fifth of Edward the Third, by which an overt-act was made the necessary proof of ill intentions. And when others insisted, that "out of the abundance of the heart the mouth spake," he brought the instance of our Saviour's words, "Destroy this temple ;" and showed how near "the temple" was to "this temple," pronouncing it in Syriac, so that the difference was almost imperceptible. There was nothing more innocent than these words, as our Saviour meant, and spoke them ; but nothing was more criminal than the setting on a multitude to destroy the temple. This made some impression at that time. But if the duke of Monmouth's landing had not brought the session to an early conclusion, that, and everything else which the officious courtiers were projecting, would have certainly passed.

The most important business that was before the house of lords was the reversing the attainder of the lord Stafford. It was said for it, that the witnesses were now convicted of perjury, and therefore the restoring the blood that was tainted by their evidence was a just reparation. The proceedings in the matter of the popish plot were chiefly founded on Oates's discovery, which was now judged to be a thread of perjury. This stuck with the lords, and would not go down. Yet they did justice both to the popish lords then in the Tower, and to the earl of Danby, who moved the house of lords, that they might either be brought to their trial, or be set at liberty. This was sent by the lords to the house of commons, who returned answer, that they did not think fit to insist on the impeachments. So upon that they were discharged of them, and set at liberty. Yet, though both houses agreed in this of prosecuting the popish plot no further, the lords had no mind to reverse and condemn past proceedings.

But while all these things were in agitation, the duke of Monmouth's landing brought the session to a conclusion. As soon as lord Argyle sailed for Scotland, he set about his design with as much haste as was possible. Arms were bought, and a ship was freighted for Bilboa in Spain. The duke of Monmouth pawned all his jewels ; but these could not raise much, and no money was sent him out of England. So he was hurried into an ill designed invasion. The whole company consisted but of eighty-two persons. They were all faithful to one another. But some spies, whom Skelton, the new envoy, set on work, sent him the notice of a suspected ship sailing out of Amsterdam with arms. Skelton neither understood the laws of Holland, nor advised with those who did ; otherwise he would have carried with him an order from the admiralty of Holland, that sat at the Hague, to be made use of as the occasion should require. When he came to Amsterdam, and applied himself to the magistrates there, desiring them to stop and search the ship that he named, they found the ship was already sailed out of their port, and their jurisdiction went no further. So he was forced to send to the admiralty at the Hague. But those on board, hearing what he was come for, made all possible haste, and the wind favouring them, they got out of the Texel before the order desired could be brought from the Hague.

After a prosperous course, the duke landed at Lyme, in Dorsetshire ; and he with his small company came ashore with some order, but with too much daylight, which discovered how few they were.

The alarm was brought hot to London ; where, upon the general report and belief of the thing, an act of attainder passed both houses in one day : some small opposition being made by the earl of Anglesey, because the evidence did not seem clear enough for so severe a sentence, which was grounded on the notoriety of the thing. The sum of 5000*l.* was set on his head. And with that the session of parliament ended ; which was no small happiness to the nation, such a body of men being dismissed with doing so little hurt. The duke of Monmouth's manifesto was long, and ill penned ; full of much black and dull malice. It was plainly Ferguson's style, which was both tedious and fulsome. It charged the king with the burning of London, the popish plot, Godfrey's murder, and the earl of Essex's death : and to crown all, it was pretended, that the late king was poisoned by his orders. It was set forth, that the king's religion made him incapable of the crown : that three subsequent houses of commons had voted his exclusion : the taking away the old charters, and all the

hard things done in the last reign were laid to his charge: the elections of the present parliament were also set forth very odiously, with great indecency of style: the nation was also appealed to, when met in a free parliament, to judge of the duke's own pretensions: and all sort of liberty, both in temporals and spirituals, was promised to persons of all persuasions.

Upon the duke of Monmouth's landing, many of the country people came in to join him, but very few of the gentry. He had quickly men enough about him to use all his arms. The duke of Albemarle, as lord-lieutenant of Devonshire, was sent down to raise the militia, and with them to make head against him. But their ill affection appeared very evidently: many deserted, and all were cold in the service. The duke of Monmouth had the whole country open to him for almost a fortnight, during which time he was very diligent in training and animating his men. His own behaviour was so gentle and obliging, that he was master of all their hearts, as much as was possible. But he quickly found what it was to be at the head of undisciplined men, that knew nothing of war, and that were not to be used with rigour. Soon after their landing, lord Grey was sent out with a small party. He saw a few of the militia, and he ran for it; but his men stood, and the militia ran from them. Lord Grey brought a false alarm, that was soon found to be so; for the men whom their leader had abandoned came back in good order. The duke of Monmouth was struck with this, when he found that the person on whom he depended most, and for whom he designed the command of the horse, had already made himself infamous by his cowardice. He intended to join Fletcher with him in that command; but an unhappy accident made it not convenient to keep him longer about him. He sent him out on another party, and he, not being yet furnished with a horse, took the horse of one who had brought in a great body of men from Taunton. He was not in the way; so Fletcher, not seeing him to ask his leave, thought that all things were to be in common among them that would advance the service. After Fletcher had ridden about as he was ordered, as he returned, the owner of the horse he rode on, who was a rough and ill-bred man, reproached him in very injurious terms, for taking out his horse without his leave. Fletcher bore this longer than could have been expected from one of his impetuous temper. But the other persisted in giving him foul language, and offered a switch or a cane; upon which he discharged his pistol at him, and fatally shot him dead. He went and gave the duke of Monmouth an account of this, who saw it was impossible to keep him longer about him, without disgusting and losing the country people, who were coming in a body to demand justice. So he advised him to go aboard the ship and to sail on to Spain, whither she was bound. By this means he was preserved for that time.

Ferguson ran among the people with all the fury of an enraged man that affected to pass for an enthusiast, though all his performances that way were forced and dry. The duke of Monmouth's great error was, that he did not in the first heat venture on some hardy action, and then march either to Exeter or Bristol; where as he would have found much wealth, so he would have gained some reputation by it. But he lingered in exercising his men, and stayed too long in the neighbourhood of Lyme.

By this means the king had time both to bring troops out of Scotland, after Argyle was taken, and to send to Holland for the English and Scotch regiments that were in the service of the States; which the prince sent over very readily, and offered his own person and a greater force, if it was necessary. The king received this with great expressions of acknowledgment and kindness. It was very visible that he was much distracted in his thoughts, and that what appearance of courage soever he might put on, he was inwardly full of apprehensions and fears. He durst not accept of the offer of assistance that the French made him; for by that he would have lost the hearts of the English nation. And he had no mind to be much obliged to the prince of Orange, or to let him into his counsels or affairs. Prince George committed a great error in not asking the command of the army: for the command, how much soever he might have been bound to the counsels of others, would have given him some lustre; whereas his staying at home in such time of danger brought him under much neglect.

The king could not choose worse than he did, when he gave the command to the earl of

Feversham, who was a Frenchman by birth, and nephew to M. de Turenne. Both his brothers changing religion, though he continued still a protestant, made that his religion was not much trusted to. He was an honest, brave and good natured man, but weak to a degree not easy to be conceived. And he conducted matters so ill, that every step he made was likely to prove fatal to the king's service. He had no parties abroad : he got no intelligence : and was almost surprised, and likely to be defeated, when he seemed to be under no apprehension, but was a-bed without any care or order. So, that if the duke of Monmouth had got but a very small number of good soldiers about him, the king's affairs would have fallen into great disorder\*.

The duke of Monmouth had almost surprised lord Feversham and all about him, while they were a-bed. He got in between two bodies, into which the army lay divided. He now saw his error in lingering so long. He began to want bread, and to be so straitened, that there was a necessity of pushing for a speedy decision. He was so misled in his march that he lost an hour's time ; and when he came near the army, there was an inconsiderable ditch : in the passing which he lost so much more time, that the officers had leisure to rise and be dressed, now they had the alarm ; and they put themselves in order. Yet the duke of Monmouth's foot stood longer, and fought better than could have been expected : especially when the small body of horse they had ran upon the first charge ; the blame of which was cast upon lord Grey. The foot being thus forsaken, and galled by the cannon, did run at last. About a thousand of them were killed on the spot, and fifteen hundred were taken prisoners. Their numbers when fullest were between five and six thousand. The duke of Monmouth left the field too soon for a man of courage, who had such high pretensions ; for a few days before he had suffered himself to be called king, which did him no service, even among those that followed him. He rode towards Dorsetshire, and when his horse could carry him no further, he changed clothes with a shepherd, and went as far as his legs could carry him, being accompanied only with a German, whom he had brought over with him. At last, when he could go no further, he lay down in a field where there was hay and straw, with which they covered themselves, so that they hoped to lie there unseen till night. Parties went out on all hands to take prisoners. The shepherd was found by the lord Lumley in the duke of Monmouth's clothes ; so this put him on his track, and having some dogs with them they followed the scent, and came to the place, where the German was first discovered. And he immediately pointed to the place where the duke of Monmouth lay. So he was taken in a very indecent dress and posture†.

His body was quite sunk with fatigue, and his mind was now so low, that he begged his life in a manner that agreed ill with the courage of the former parts of it. He called for pen, ink, and paper, and wrote to the earl of Feversham, and both to the queen and the queen dowager, to intercede with the king for his life. The king's temper, as well as his interest, made it so impossible to hope for that, that it showed a great meanness in him to ask it in such terms as he used in his letters. He was carried up to Whitehall, where the king examined him in person ; which was thought very indecent, since he was resolved not to pardon him. He made new and unbecoming submissions, and insinuated a readiness to change his religion ; for he said the king knew what his first education was in religion. There were no discoveries to be got from him ; for the attempt was too rash to be well concerted, or to be so deep laid that many were involved in the guilt of it. He was examined on Monday, and orders were given for his execution on Wednesday‡.

\* Lewis Duras was marquis de Blanquefort in France, but naturalised here in 1665 ; created baron Duras of Holdenby in 1672, and earl of Feversham in 1676. He was lord chamberlain to the queen of Charles the Second, and, even after her retirement to Portugal, continued to have the chief management of her affairs ; so that he was sometimes designated the "king-dowager." He was supple and insinuating, so that he retained the court favour, even in the two following reigns. He will be noticed in future pages.

† Sir John Reresby and other authorities do not give so unfavourable an account of the duke of Monmouth's

proceedings, but consider him to have conducted himself with the discretion of a good general. James said, in the hearing of Reresby, that Monmouth had "not made one false step." The only companion with him when taken was count Horn. That he was worn down by fatigue is not surprising, if Reresby's account that he was not in bed for three nights, is true.—Reresby's Memoirs.

‡ When Monmouth fell into the hands of king James's troops, on the 8th of July, 1685, he immediately wrote to the king, earnestly requesting an interview, and assuring him that he had something to impart of great importance, and which could only be related in person. On



Turner and Ken, the bishops of Ely and of Bath and Wells, were ordered to wait on him. But he called for Dr. Tennison. The bishops studied to convince him of the sin of rebellion. He answered, he was sorry for the blood that was shed in it; but he did not seem to repent of the design. Yet he confessed that his father had often told him, that there was no truth in the reports of his having married his mother. This he set under his hand, probably for his children's sake, who were then prisoners in the Tower, that so they might not be ill used on his account. He showed a great neglect of his duchess\*. And her resentments for his course of life with the lady Wentworth wrought so much on her, that, though he desired to speak privately with her, she would have witnesses to hear all that passed, to justify her-

the following day he wrote to the queen-dowager (vide Ellis's Letters illustrative of English Hist. iii.), and the following to the earl of Rochester:

"From Ringwood, the 9th of July, 1685.

"My Lord,—Having had some proofs of your kindness when I was last at Whitehall, makes me hope now that you will not refuse interceding for me with the king, being I now, though too late, see how I have been misled; were I not clearly convinced of that, I would rather die a thousand deaths than say what I do. I writ yesterday to the king, and the chief business of my letter was to desire to speak to him; for I have that to say to him that I am sure will set him at quiet for ever; I am sure the whole study of my life shall hereafter be how to serve him; and I am sure that which I can do is more worth than taking my life away; and I am confident, if I may be so happy to speak to him, he will himself be convinced of it, being I can give him such infallible proofs of my truth to him, that though I would alter, it would not be in my power to do it. This which I have now said, I hope will be enough to encourage your lordship to show me your favour, which I do earnestly desire of you, and hope that you have so much generosity as not to refuse it. I hope, my lord, and I make no doubt of it, that you will not have cause to repent having saved my life, which I am sure you can do a great deal in it, if you please; being it obliges me for ever to be entirely yours, which I shall ever be, as long as I have life.

"MONMOUTH.

"For the Earl of Rochester,  
Lord High Treasurer of England."

—Singer's Clarendon Corr. i. 143.

There have been two conjectures respecting the intelligence that Monmouth wished to communicate to James. The one, that he was encouraged to the invasion by the prince of Orange, is refuted by all the evidence we possess—the other, that he had such an encourager in the intriguing earl of Sunderland, is much better substantiated. Among the Clarendon Papers is a document confirming this last opinion. When returned to the Tower, the hauteur of the duke gave way, and he again wrote to the king. Tradition says that this revealed the treachery of Sunderland; but this communication never reached the king. Colonel Scott gave of this the following narrative to a friend.—"In the year 1734, I was in company with colonel Scott, at Boulogne-sur-Mer, in France, when the colonel called me to him, and said, 'Mr. Bowdler, you are a young man and I am an old one, I will tell you something worth remembering. When the duke of Monmouth was in the Tower, under sentence of death, I had the command of the guard there; and one morning the duke desired me to let him have pen, ink, and paper, for he wanted to write to the king. He wrote a very long letter, and, when he had sealed it, he desired me to give him my word of honour that I would carry that letter to the king, and deliver it into no hands but his. I told him I would most willingly do it, if it was in my power, but that my orders were, not to stir from him till

his execution; and, therefore, I dared not leave the Tower. At this he expressed great uneasiness, saying, he could have depended on my honour; but at length asked me if there was any officer in that place on whose fidelity I could rely. I told him that captain — was one on whom I would willingly confide, in anything on which my whole life depended, and more I could not say of any man. The duke desired he might be called. When he was come, the duke told him the affair. He promised on his word and honour that he would deliver the letter to no person whatever, but to the king only. Accordingly, he went immediately to court, and being come near the king's closet, took the letter out of his pocket to give to the king. Just then lord Sunderland came out of the closet, and, seeing him, asked him what he had in his hand; he said it was a letter from the duke of Monmouth, which he was going to give to the king. Lord Sunderland said, 'Give it to me, I will carry it to him.' 'No, my lord,' said the captain, 'I pawned my honour to the duke, that I would deliver the letter to no man but the king himself.' 'But,' said lord Sunderland, 'the king is putting on his shirt, and you cannot be admitted into the closet; but the door shall stand so far open that you shall see me give it to him.' After many words, lord Sunderland prevailed on the captain to give him the letter, and his lordship went into the closet with it. After the Revolution, colonel Scott, who followed the fortunes of King James, going one day to see the king at dinner, at St. Germaine, in France, the king called him to him, and said, 'Colonel Scott, I have lately heard a thing that I want to know from you whether it is true.' The king then related the story, and the colonel assured him that what his majesty had been told was exactly true. Upon this the king then said, 'Colonel Scott, as I am a living man, I never saw that letter, nor did I ever hear of it till within these few days.'"—Singer's Clarendon Corr. i. 144.

No one can hesitate in agreeing that the king ought never to have admitted Monmouth to his presence, unless he intended to pardon him. That Monmouth did not act heroically at this interview is perhaps true. Reresby says that he heard the king relate that the duke confessed his error, threw the blame on the earl of Argyle and Ferguson, who had incited him to the invasion; said that he assumed the style of king to induce the gentry to join him; and begged for pardon on his knees — (Reresby's Memoirs.) That the king could relate all this, knowing that at the conclusion he coldly left the offender, his own nephew, to die on the scaffold, brands him indelibly as a heartless monster.—See Dalrymple's Memoirs; James's Memoirs; Rose's Observations; Clarke's Life of James, from the Stuart Papers, &c.

\* This is decidedly contradicted by a MS. belonging to the Buccleugh family, and quoted by Mr. Rose in the Appendix to his "Observations" on Mr. Fox's History of James the Second. The last farewell of Monmouth and his wife is there described as being most tender. He who is standing within a day's space of death would surely wish for forgiveness, and might readily be forgiven.

self, and to preserve her family. They parted very coldly. He only recommended to her the breeding their children in the protestant religion. The bishops continued still to press on him a deep sense of the sin of rebellion; at which he grew so uneasy, that he desired them to speak to him of other matters. They next charged him with the sin of living with the lady Wentworth as he had done. In that he justified himself: he had married his duchess too young to give a true consent. He said, that lady was a pious, worthy woman, and that he had never lived so well in all respects, as since his engagements with her\*. All the pains they took to convince him of the unlawfulness of that course of life had no effect. They did certainly very well in discharging their consciences, and speaking so plainly to him; but they did very ill to talk so much of this matter, and to make it so public as they did: for divines ought not to repeat what they say to dying penitents, no more than what the penitents say to them. By this means the duke of Monmouth had little satisfaction in them, and they had as little in him.

He was much better pleased with Dr. Tension, who did very plainly speak to him with relation to his public actings, and to his course of life; but he did it in a softer and less peremptory manner. And having said all that he thought proper, he left those points, in which he saw he could not convince him, to his own conscience, and turned to other things fit to be laid before a dying man. The duke begged one day more of life with such repeated earnestness, that as the king was much blamed for denying so small a favour, so it gave occasion to others to believe, that he had some hope from astrologers, that, if he outlived that day, he might have a better fate. As long as he fancied there was any hope, he was too much unsettled in his mind to be capable of anything.

But when he saw all was to no purpose, and that he must die, he complained a little that his death was hurried on so fast. But all on the sudden he came into a composure of mind that surprised all that saw it. There was no affectation in it. His whole behaviour was easy and calm, not without a decent cheerfulness. He prayed God to forgive all his sins, unknown as well as known. He seemed confident of the mercies of God, and that he was going to be happy with him. And he went to the place of execution on Tower Hill with an air of undisturbed courage that was grave and composed. He said little there: only that he was sorry for the blood that was shed; but he had ever meant well to the nation. When he saw the axe, he touched it, and said it was not sharp enough. He gave the hangman but half the reward he intended; and said, if he cut off his head cleverly, and not so butcherly as he did the lord Russell's, his man would give him the rest. The executioner was in great disorder, trembling all over; so he gave him two or three strokes without being able to finish the matter, and then flung the axe out of his hand. But the sheriff forced him to take it up; and at three or four more strokes he severed his head from his body; and both were presently buried in the chapel of the Tower. Thus lived and died this unfortunate young man. He had several good qualities in him, and some that were as bad. He was soft and gentle even to excess, and too easy to those who had credit with him. He was both sincere and good natured, and understood war well. But he was too much given to pleasure and to favourites†.

The lord Grey it was thought would go next. But he had a great estate that by his death was to go over to his brother. So the court resolv'd to preserve him till he should be brought to compound for his life. The earl of Rochester had 16,000*l.* of him. Others had smaller shares. He was likewise obliged to tell all he knew, and to be a witness in order to the conviction of others, but with this assurance, that nobody should die upon his evidence‡.

\* Henrietta Maria Wentworth was the only daughter and heiress of the earl of Cleveland.—Reresby's Memoirs.

† A still more favourable and interesting character of this unfortunate nobleman is given with some letters, and extracts from his "Diary," in Wellwood's Memoirs. Reresby says that many charms and spells were found in his pockets; a fact we may readily believe when we know that then almost every one believed in astrology and witchcraft. Colonel Legge was in the coach with him when conducted to London, and had

orders to put him to death if there was any danger of his escape. The colonel took from the duke's person many charms; and added, when relating this to his nephew, the earl of Dartmouth, that his tablet-book was full of unintelligible astrological figures. The duke told him he received them years previously in Scotland, and that he now found them but foolish conceits.—See also Dr. Clark's Life of James the Second; Oxford edition of this work.

‡ This dastardly peer, Ford, lord Grey de Werke, afterwards had his estate restored, and, obtaining the

So the lord Brandon, son to the earl of Macclesfield, was convicted by his and some other evidence. Mr. Hambden was also brought on his trial. And he was told that he must expect no favour unless he would plead guilty. And he, knowing that legal evidence would be brought against him, submitted to this; and begged his life with a meanness, of which he himself was so ashamed afterwards, that it gave his spirits a depression and disorder that he could never quite master. And that had a terrible conclusion: for, about ten years after, he cut his own throat.

The king was now as successful as his own heart could wish. He had held a session of parliament in both kingdoms that had settled his revenue; and now two ill-prepared, and ill managed, rebellions had so broken all the party that was against him, that he seemed secure in his throne, and above the power of all his enemies. And certainly a reign that was now so beyond expectation successful in its first six months seemed so well settled, that no ordinary mismanagement could have spoiled such beginnings. If the king had ordered a speedy execution of such persons as were fit to be made public examples, and had upon that granted a general indemnity, and if he had but covered his intentions till he had got through another session of parliament, it is not easy to imagine with what advantage he might then have opened and pursued his designs.

But his own temper and the fury of some of his ministers, and the maxims of his priests, who were become enthusiastical upon this success, and fancied that nothing could now stand before him: all these concurred to make him lose advantages that were never to be recovered; for the shows of mercy, that were afterwards put on, were looked on as an after game, to retrieve that which was now lost. The army was kept for some time in the western counties, where both officers and soldiers lived as in an enemy's country, and treated all that were believed to be ill affected to the king with great rudeness and violence.

Kirk\*, who had commanded long in Tangier, was become so savage by the neighbourhood of the Moors there, that some days after the battle he ordered several of the prisoners to be hanged up at Taunton, without so much as the form of law, he and his company looking on from an entertainment they were at. At every new health another prisoner was hanged up. And they were so brutal, that, observing the shaking of the legs of those whom they hanged, it was said among them they were dancing; and upon that music was called for. This was both so illegal and so inhuman, that it might have been expected that some notice would have been taken of it. But Kirk was only chid for it. And it was said that he had a particular order for some military executions; so that he could only be chid for the manner of it.

But, as if this had been nothing, Jefferies was sent the western circuit to try the prisoners. His behaviour was beyond anything that was ever heard of in a civilized nation. He was perpetually either drunk or in a rage, more like a fury than the zeal of a judge. He required the prisoners to plead guilty: and in that case he gave them some hope of favour, if they gave him no trouble; otherwise he told them he would execute the letter of the law upon them in its utmost severity. This made many plead guilty who had a great defence in law. But he shewed no mercy. He ordered a great many to be hanged up immediately, without allowing them a minute's time to say their prayers. He hanged in several places about six hundred persons. The greatest part of these were of the meanest sort and of no distinction. The impieties with which he treated them, and his behaviour towards some of the nobility and gentry that were well affected, but came and pleaded in favour of some prisoners, would have amazed one if done by a bashaw in Turkey. England had never known anything like it. The instances are too many to be reckoned up†.

favour of William the Third, was created by him earl Tankerville and viscount Grey of Glendale. This was in 1695, and soon after he was appointed first lord-commissioner of the treasury, and lord privy-seal. He died in 1701. His "Secret History of the Rye-house Plot" was published in 1754.—Gruinger.

\* Percy Kirke, in 1680, was colonel of the 4th regiment of foot. Ironically they were called "Kirke's Lads."

† A very particular and impartial account of this wholesale murdering is given by Mr. Woolrych in his "Life of Jeffreys."

In his dying hours he was attended by Dr. Scot, a very reputable clergyman of the period. Scot reminded him of what was reported of his cruelties in the west; Jeffreys thanked him for the suggestion, and added, with emotion, "Whatever I did then, I did by express orders; and I have this to say farther for myself, that I was not half



But that which brought all his excesses to be imputed to the king himself, and to the orders given by him, was, that the king had a particular account of all his proceedings written to him every day. And he took pleasure to relate them in the drawing-room to foreign ministers, and at his table, calling it "Jeffreys's campaign;" speaking of all he had done in a style that neither became the majesty nor the mercifulness of a great prince. Dykfield was at that time in England, one of the ambassadors whom the States had sent over to congratulate the king's coming to the crown. He told me that the king talked so often of these things in his hearing, that he wondered to see him break out into those indecencies. And upon Jeffreys's coming back, he was created a baron, and peer of England: a dignity which, though anciently some judges were raised to it, yet in these later ages, as there was no example of it, so it was thought inconsistent with the character of a judge.

Two executions were of such an extraordinary nature, that they deserve a more particular recital. The king apprehended that many of the prisoners had got into London, and were concealed there; so he said those who concealed them were the worst sort of traitors, who endeavoured to preserve such persons to a better time. He had likewise a great mind to find out any among the rich merchants, who might afford great compositions to save their lives; for though there was much blood shed, there was little booty got to reward those who had served. Upon this the king declared he would sooner pardon the rebels, than those who harboured them.

There was in London one Gaunt, a woman that was an anabaptist, who spent a great part of her life in acts of charity, visiting the gaols, and looking after the poor of what persuasion soever they were. One of the rebels found her out, and she harboured him in her house: and was looking for an occasion of sending him out of the kingdom. He went about in the night, and came to hear what the king had said. So he, by an unheard of baseness, went and delivered himself, and accused her that harboured him. She was seized on and tried. There was no witness to prove that she knew that the person she harboured was a rebel but he himself; her maid witnessed only that he was entertained at her house. But though the crime was her harbouring a traitor, and was proved only by this infamous witness, yet the judge charged the jury to bring her in guilty, pretending that the maid was a second witness, though she knew nothing of that which was the criminal part. She was condemned, and burnt, as the law directs in the case of women convicted of treason. She died with a constancy, even to a cheerfulness, that struck all that saw it. She said, charity was a part of her religion, as well as faith; this at worst was the feeding an enemy; so she hoped she had her reward with him, for whose sake she did this service, how unworthy soever the person was, that made so ill a return for it. She rejoiced that God had honoured her to be the first that suffered by fire in this reign; and that her suffering was a martyrdom for that religion which was all love. Penn, the quaker, told me he saw her die. She laid the straw about her for burning her speedily, and behaved herself in such a manner that all the spectators melted in tears.

The other execution was of a woman of greater quality—the lady Lisle. Her husband had been a regicide, and was one of Cromwell's lords, and was called the lord Lisle. He went at the time of the Restoration beyond sea, and lived at Lausanne. But three desperate Irishmen, hoping by such a service to make their fortunes, went thither, and killed him as he was going to church; and being well mounted, and ill pursued, got into France. His lady was known to be much affected with the king's death, and not easily reconciled to her husband for the share he had in it. She was a woman of great piety and charity. The night after the action, Hicks, a violent preacher among the dissenters, and Nelthorp, came to her house. She knew Hicks, and treated him civilly, not asking from whence they came. But Hicks told what brought them thither; for they had been with the duke of Monmouth. Upon which she went out of the room immediately, and ordered her chief servant to send an information concerning them to the next justice of peace, and in the meanwhile to suffer

bloody enough for him who sent me thither." Mr. speaker Onslow had this from sir J. Jekyl, to whom it was told by lord Somers, who heard it from Scot himself. —(Oxford ed. of this work.) This may be, probably is,

true; but if James was a sanguinary monster, is that any excuse for Jeffreys being the ruffianly instrument to gratify his thirst for revenge, and for outraging the laws of our nature, and of our country?

them to make their escape. But, before this could be done, a party came about the house, and took both them, and her for harbouring them. Jeffreys resolved to make a sacrifice of her, and obtained of the king a promise that he would not pardon her. Which the king owned to the earl of Feversham, when he, upon the offer of 1000*l.* if he could obtain her pardon, went and begged it\*. So she was brought to her trial. No legal proof was brought that she knew that they were rebels: the names of the persons found in her house were in no proclamation: so there was no notice given to beware of them. Jeffreys affirmed to the jury, upon his honour, that the persons had confessed that they had been with the duke of Monmouth. This was the turning a witness against her, after which he ought not to have judged in the matter. And, though it was insisted on, as a point of law, that till the persons found in her house were convicted, she could not be found guilty, yet Jeffreys charged the jury in a most violent manner to bring her in guilty. All the audience was strangely affected with so unusual a behaviour in a judge. Only the person most concerned, the lady herself, who was then past seventy, was so little moved at it that she fell asleep. The jury brought her in not guilty. But the judge in great fury sent them out again. Yet they brought her in a second time not guilty. Then he seemed as in a transport of rage. He upon that threatened them with an attainder of jury. And they, overcome with fear, brought her in the third time guilty. The king would show no other favour, but that he changed the sentence from burning to beheading. She died with great constancy of mind; and expressed a joy that she thus suffered for an act of charity and piety.

Most of those that had suffered expressed at their death such a calm firmness, and such a zeal for their religion, which they believed was then in danger, that it made great impressions on the spectators. Some base men among them tried to save themselves by accusing others. Goodenough†, who had been under-sheriff of London, when Cornish was sheriff, offered to swear against Cornish; and also said, that Rumsey had not discovered all he knew. So Rumsey, to save himself, joined with Goodenough, to swear Cornish guilty of that for which the lord Russel had suffered. And this was driven on so fast, that Cornish was seized on, tried, and executed within the week. If he had got a little time, the falsehood of the evidence would have been proved from Rumsey's former deposition, which appeared so clearly soon after his death, that his estate was restored to his family, and the witnesses were lodged in remote prisons for their lives. Cornish, at his death, asserted his innocence with great vehemence; and with some acrimony complained of the methods taken to destroy him. And so they gave it out, that he died in a fit of fury. But Pen, who saw the execution, said to me, there appeared nothing but a just indignation that innocence might very naturally give. Pen might be well relied on in such matters, he being so entirely in the king's interests. He said to me, the king was much to be pitied, who was hurried into all this effusion of blood by Jeffreys's impetuous and cruel temper. But, if his own inclinations had not been biased that way, and if his priests had not thought it the interest of their party to let that butcher loose, by which so many men that were like to oppose them were put out of the way, it is not to be imagined, that there would have been such a run of barbarous cruelty, and that in so many instances.

It gave a general horror to the body of the nation: and it let all people see, what might be expected from a reign that seemed to delight in blood. Even some of the fairest of torics began to relent a little, and to think they had trusted too much, and gone too far. The king had raised new regiments, and had given commissions to papists. This was overlooked during the time of danger, in which all men's service was to be made use of: and by law they might serve three months. But now, as that time was near lapsing, the king began to say, the laws for the two tests were made on design against himself: the first was made to turn him out of the admiralty, and the second to make way for the exclusion; and, he added, that it was an affront to him to insist on the observance of those laws. So these

\* This is denied by Macpherson; but, another defender of the Stuards, the author of "the Caveat," admits its truth, and adds, that the ladies St. John and Abergavenny asked of James a one day's reprieve for her in vain!—Woolrych's life of Jeffreys, 195.

† Dean Swift has related that this wretch retired afterwards to Ireland, where he practised as an attorney, and died there.—Oxford edition of this work.

persons, notwithstanding that act, were continued in commission; and the king declared openly, that he must look on all those who would not consent to the repeal of those laws, in the next session of parliament, as his enemies.

The courtiers began everywhere to declaim against them. It was said to be against the rights of the crown to deny the king the service of all his subjects, to be contrary to the dignity of peerage to subject peers to any other tests than their allegiance, and that it was an insufferable affront done the king, to oblige all those whom he should employ, to swear that his religion was idolatrous. On the other hand all the people saw, that, if those acts were not maintained, no employment would be given to any but papists, or to those who gave hopes that they would change: and, if the parliament test was taken off, then the way was opened to draw over so many members of both houses, as would be in time a majority, to bring on an entire change of the laws with relation to religion. As long as the nation reckoned their kings were true, and sure to their religion, there was no such need of those tests, while the giving employments was left free, and our princes were like to give them only to those of their own religion. But since we had a prince professing another religion, it seemed the only security that was left to the nation, and that the tests stood as a barrier to defend us from popery. It was also said, that those tests had really quieted the minds of the greater part of the nation, and had united them against the exclusion; since they reckoned their religion was safe by reason of them. The military men went in zealously into those notions: for they saw, that, as soon as the king should get rid of the tests, they must either change their religion, or lose their employments. The clergy, who for most part had hitherto run in with fury to all the king's interests, began now to open their eyes. Thus all on a sudden the temper of the nation was much altered. The marquis of Halifax did move in council, that an order should be given to examine, whether all the officers in commission had taken the test, or not. But none seconded him: so the motion fell. And now all endeavours were used, to fix the repeal of the tests in the session that was coming on.

Some few converts were made at this time. The chief of these were the earl of Perth and his brother, the earl of Melfort. Some differences fell in between the duke of Queensborough and the earl of Perth. The latter thought the former was haughty and violent, and that he used him in too imperious a manner. So they broke. At that time the king published the two papers found in his brother's strong box. So the earl of Perth was either overcome with the reasons in them, or he thought it would look well at court, if he put his conversion upon these. He came up to complain of the duke of Queensborough. And his brother going to meet him at Ware, he discovered his designs to him, who seemed at first much troubled at it; but he plied him so, that he prevailed on him to join with him in his pretended conversion, which he did with great shows of devotion and zeal. But when his objections to the duke of Queensborough's administration were heard, they were so slight, that the king was ashamed of them: and all the court justified the duke of Queensborough. A repartee of the marquis of Halifax was much talked of on this occasion. The earl of Perth was taking pains to convince him that he had just grounds of complaint, and seemed little concerned in the ill effect this might have on himself. The marquis answered him, he needed fear nothing, "His faith would make him whole:" and it proved so.

Before he declared his change, the king seemed so well satisfied with the duke of Queensborough, that he was resolved to bring the earl of Perth to a submission, otherwise to dismiss him. So the king, having declared himself too openly to recall that so soon, ordered them both to go back to Scotland; and said he would signify his pleasure to them when they should be there. It followed them down very quickly. The duke of Queensborough was turned out of the treasury, and it was put in commission; and he, not to be too much irritated at once, was put first in the commission. And now it became soon very visible, that he had the secret no more; but that it was lodged between the two brothers, the earls of Perth and Melfort. Soon after that the duke of Queensborough was not only turned out of all his employments, but a design was laid to ruin him. All persons were encouraged to bring accusations against him, either with relation to the administration of the government, or of the treasury. And, if any colourable matter could have been found against him, it was resolved to have made him a sacrifice. This sudden hatred, after so entire a confidence, was



imputed to the suggestions the earl of Perth had made of his zeal against popery, and of his having engaged all his friends to stick firm in opposition to it. It was said, there was no need of making such promises, as he had engaged the king to make to the parliament of Scotland. Nobody desired or expected them : he only drove that matter on his own account : so it was fit to let all about the king see, what was to be looked for, if they pressed anything too severely with relation to religion.

But to leave Scotland, and return to England. The king, after he had declared that he would be served by none but those who would vote for the repeal of the tests, called for the marquis of Halifax, and asked him how he would vote in that matter. He very frankly answered, he would never consent to it : he thought the keeping up those laws was necessary, even for the king's service, since the nation trusted so much to them, that the public quiet was chiefly preserved by that means. Upon this the king told him, that though he would never forget past services, yet since he could not be prevailed on in that particular, he was resolved to have all of a piece. So he was turned out. And the earl of Sunderland was made lord president, and continued still secretary of state. More were not questioned at that time, nor turned out ; for it was hoped that, since all men saw what was to be expected, if they should not comply with the king's intentions, this would have its full effect upon those who had no mind to part with their places.

The king resolved also to model Ireland, so as to make that kingdom a nursery for his army in England, and to be sure at least of an army there, while his designs were to go on more slowly in the isle of Britain. The Irish bore an inveterate hatred to the duke of Ormond : so he was recalled. But, to dismiss him with some show of respect, he was still continued lord Steward of the household. The earl of Clarendon was declared lord-lieutenant. But the army was put under the command of Talbot, who was made earl of Tirconnel\*. And he began very soon to model it anew. The archbishop of Armagh had continued lord chancellor of Ireland, and was in all points so compliant to the court, that even his religion came to be suspected on that account. Yet, it seemed, he was not thought thorough paced. So sir Charles Porter, who was a zealous promoter of everything that the king proposed, and was a man of ready wit, and being poor was thought a person fit to be made a tool of, was declared lord chancellor of Ireland. To these the king said he was resolved to maintain the settlement of Ireland. They had authority to promise this, and to act pursuant to it. But, as both the earl of Clarendon and Porter were poor, it was hoped that they would understand the king's intentions, and see through those promises, that were made only to lay men asleep ; and that therefore they would not insist too much on them, nor pursue them too far.

But now, before I come to relate the short session of parliament, that was abruptly broken off, I must mention one great transaction that went before it, and had no small influence on all men's minds. And since I saw that dismal tragedy, which was at this time acted in France, I must now change the scene, and give some account of myself. When I resolved to go beyond sea, there was no choice to be made. So many exiles and outlawed persons were scattered up and down the towns of Holland and other provinces, that I saw the danger of going where I was sure many of them would come about me, and try to have involved me in guilt by coming into my company, that so they might engage me into their designs. So I resolved to go to France : and, if I found it not convenient to stay there, I intended to go on to Geneva, or Switzerland. I asked the French ambassador if I might be safe there. He, after some days, I suppose after he had written to the court upon it, assured me I should be safe there ; and that, if the king should ask after me, timely notice should be given me, that I might go out of the way. So I went to Paris. And there being many there whom I had reason to look on as spies, I took a little house, and lived by myself as privately as I could. I continued there till the beginning of August, when I went to Italy. I found the earl of Montague at Paris, with whom I conversed much, and got from him most of the secrets of the court, and of the negotiations he was engaged in. The king of France had been for many years weakening the whole protestant interest there, and was then upon the last

\* It is upon the affairs of Ireland, at this period, that Singer's Clarendon Correspondence affords its most useful information.

resolution of recalling the edict of Nantes. And, as far as I could judge, the affairs of England gave the last stroke to that matter.

This year, of which I am now writing, must ever be remembered as the most fatal to the protestant religion. In February, a king of England declared himself a papist. In June, Charles the elector palatine dying without issue, the electoral dignity went to the house of Newburgh, a most bigotted popish family. In October, the king of France recalled and vacated the edict of Nantes\*. And in December, the duke of Savoy being brought to it, not only by the persuasions, but even by the threatenings of the court of France, recalled the edict that his father had granted to the Vaudois. So it must be confessed, that this was a very critical year. And I have ever reckoned this the fifth great crisis of the protestant religion.

For some years the priests were everywhere making conversions in France. The hopes of pensions and preferments wrought on many. The plausible colours that the bishop of Meaux, then bishop of Condom, put on all the errors of the church of Rome, furnished others with excuses for changing. Many thought they must change at last, or be quite undone; for the king seemed to be engaged to go through with the matter, both in compliance with the shadow of conscience that he seemed to have, which was to follow implicitly the conduct of his confessor, and of the archbishop of Paris, he himself being ignorant in those matters beyond what can be well imagined; and because his glory seemed also concerned to go through with everything that he had once begun.

Old Rouvigny, who was the deputy general of the churches, told me that he was long deceived in his opinion of the king. He knew he was not naturally bloody. He saw his gross ignorance in those matters. His bigotry could not rise from any inward principle. So for many years he flattered himself with the hopes, that the design would go on so slowly, that some unlooked for accident might defeat it. But after the peace of Nimeguen (in 1678), he saw such steps made with so much precipitation, that he told the king he must beg a full audience of him upon that subject. He gave him one that lasted some hours. He came well prepared. He told him what the state of France was during the wars in his father's reign: how happy France had been now for fifty years, occasioned chiefly by the quiet it was in with relation to those matters. He gave him an account of their numbers, their industry and wealth, their constant readiness to advance the revenue, and that all the quiet he had with the court of Rome was chiefly owing to them: if they were rooted out, the court of Rome would govern as absolutely in France as it did in Spain. He desired leave to undeceive him, if he was made believe they would all change, as soon as he engaged his authority in the matter: many would go out of the kingdom, and carry their wealth and industry into other countries. And by a scheme of particulars he reckoned how far that would go. In fine, he said, it would come to the shedding of much blood: many would suffer, and others would be precipitated into desperate courses. So that the most glorious of all reigns would be in conclusion disfigured and defaced, and become a scene of blood and horror. He told me, as he went through these matters, the king seemed to hearken to him very attentively. But he perceived they made no impression: for the king never asked any particulars, or any explanation, but let him go on. And, when he had ended, the king said he took his freedom well, since it flowed from his zeal to his service. He believed all that he had told him of the prejudice it might do him in his affairs: only he thought, it would not go to the shedding of blood. But he said, he considered himself as so indispensably bound to endeavour the conversion of all his subjects, and the extirpation of heresy, that if the doing it should require that with one hand he should cut off the other, he would submit to that. After this Rouvigny gave all his friends hints of what they were to look for. Some were for flying out into a new civil war. But, their chief confidence being in the assistance they expected from England, he, who knew what our princes were, and had reason to believe that king Charles was at least a cold protestant, if not a secret papist, and knew that the States would not embroil their affairs in assisting them, their maxims rather leading them to connive

\* The Edict of Nantes was issued by Henry the Fourth, of France, in 1598. Motheim, in his Ecclesiastical History, gives a detail of its clauses, and of the events which elicited it.

at anything that would bring great numbers and much wealth into their country than to oppose it, was against all motions of that kind. He reckoned those risings would be soon crushed, and so would precipitate their ruin with some colour of justice. He was much censured for this by some hot men among them, as having betrayed them to the court. But he was very unjustly blamed, as appeared both by his own conduct, and by his son's; who was received at first into the survivance of being deputy general for the churches, and afterwards, at his father's desire, had that melancholy post given him, in which he daily saw new injustices done, and was only suffered, for form's sake, to inform against them, but with no hope of success\*.

The father did, upon King Charles's death, write a letter of congratulation to the king, who wrote him such an obliging answer, that upon it he wrote to his niece the Lady Russel, that, having such assurances given him by the king of a high sense of his former services, he resolved to come over, and beg the restoring her son's honour†. The Marquis of Halifax did presently apprehend, that this was a blind, and that the king of France was sending him over to penetrate into the king's designs; since from all hands intimations were brought of the promises, that he made to the ministers of the other princes of Europe. So I was ordered to use all endeavours to divert him from coming over: his niece had indeed begged that journey of him, when she hoped it might have saved her husband's life, but she would not venture to desire the journey on any other consideration, considering his great age, and that her son was then but five years old. I pressed this so much on him, that, finding him fixed in his resolution, I could not hinder myself from suspecting, that such a high act of friendship, in a man some years past fourscore, had somewhat under it: and it was said, that, when he took leave of the king of France, he had an audience of two hours of him. But this was a false suggestion: and I was assured afterwards that he came over only in friendship to his niece, and that he had no directions nor messages from the court of France.

He came over, and had several audiences of the king, who used him with great kindness, but did not grant him that which he said he came for; only he gave him a general promise of doing it in a proper time.

But whether the court of France was satisfied by the conversation that Rouvigny had with the king, that they needed apprehend nothing from England; or whether the king's being now so settled on the throne made them conclude that the time was come of repealing the edicts, is not certain. M. de Louvoy, seeing the king so set on the matter, proposed to him a method which he believed would shorten the work, and do it effectually: which was to let loose some bodies of dragoons to live upon the protestants on discretion. They were put under no restraint, but only to avoid rapes and the killing them. This was begun in Bearn. And the people were so struck with it, that, seeing they were to be eat up first, and, if that prevailed not, to be cast in prison, when all was taken from them, till they should change, and being required only to promise to reunite themselves to the church, they, overcome with fear and having no time for consulting together, did universally comply. This did so animate the court, that, upon it the same methods were taken in most places of Guienne, Languedoc, and Dauphiné, where the greatest numbers of the protestants were. A dismal consternation and feebleness ran through most of them, so that great numbers yielded. Upon which the king, now resolved to go through with what had been long projected, published the edict repealing the edict of Nantes, in which (though that edict was declared to be a perpetual and irrevocable law,) he set forth, that it was only intended to quiet matters by it, till more effectual ways should be taken for the conversion of Heretics. He also promised in it, that, though all the public exercises of that religion were now suppressed, yet those of that persuasion who lived quietly should not be disturbed on that account, while at the same time not only the dragoons, but all the clergy and the bigots of France, broke out into all the instances of rage and fury, against such as did not change upon their being required in the king's name to be of his religion: for that was the style everywhere.

Men and women of all ages, who would not yield, were not only stripped of all they had, but kept long from sleep, driven about from place to place, and hunted out of their retire-

\* Henry Rouvigné will be frequently noticed in future pages as earl of Galway.

† Lord Russel was his great-nephew.



ments. The women were carried into nunneries, in many of which they were almost starved, whipped, and barbarously treated. Some few of the bishops, and of the secular clergy, to make the matter easier, drew formularies, importing that they were resolved to reunite themselves to the catholic church, and that they renounced the errors of Luther and Calvin. People in such extremities are easy to put a stretched sense on any words, that may give them present relief. So it was said, what harm was it to promise to be united to the catholic church: and the renouncing those men's errors did not renounce their good and sound doctrine. But it was very visible with what intent those subscriptions or promises were asked of them: so their compliance in that matter was a plain equivocation. But, how weak and faulty soever they might be in this, it must be acknowledged here was one of the most violent persecutions that is to be found in history. In many respects it exceeded them all, both in the several inventions of cruelty, and in its long continuance. I went over the greatest part of France while it was in its hottest rage, from Marseilles to Montpellier, and from thence to Lyons, and so to Geneva. I saw and knew so many instances of their injustice and violence, that it exceeded even what could have been well imagined; for all men set their thoughts at work, to invent new methods of cruelty. In all the towns through which I passed, I heard the most dismal account of those things possible; but chiefly at Valence, where one Dcrapine seemed to exceed even the furies of inquisitors. One in the streets could have known the new converts, as they were passing by them, by a cloudy dejection that appeared in their looks and deportment. Such as endeavoured to make their escape, and were seized, (for guards and secret agents were spread along the whole roads and frontier of France,) were, if men, condemned to the galleys, and, if women, to monasteries. To complete this cruelty, orders were given that such of the new converts as did not at their death receive the sacrament, should be denied burial, and that their bodies should be left where other dead carcases were cast out, to be devoured by wolves, or dogs. This was executed in several places with the utmost barbarity: and it gave all people so much horror, that, finding the ill effect of it, it was let fall. This hurt none, but struck all that saw it, even with more horror than those sufferings that were more felt. The fury that appeared on this occasion did spread itself with a sort of contagion: for the intendants and other officers that had been mild and gentle in the former parts of their life seemed now to have laid aside the compassion of christians, the breeding of gentlemen, and the common impressions of humanity. The greatest part of the clergy, the regulars especially, were so transported with the zeal that their king showed on this occasion, that their sermons were full of the most inflamed eloquence that they could invent, magnifying their king in strains too indecent and blasphemous, to be mentioned by me.

I staid at Paris till the beginning of August. Barrillon sent to me to look to myself; for the king had let some words fall importing his suspicion of me, as concerned in the duke of Monmouth's business. Whether this was done on design to see if such an insinuation could fright me away, and so bring me under some appearance of guilt, I cannot tell: for in that time everything was deceitfully managed. But I, who knew that I was not so much as guilty of concealment, resolved not to stir from Paris till the rebellion was over, and that the prisoners were examined and tried. When that was done, Stoupe, a brigadier-general, told me that M. de Louvoy had said to him, that the king was resolved to put an end to the business of the Huguenots that season: and since he was resolved not to change, he advised him to make a tour into Italy, that he might not seem to do anything that opposed the king's service. Stoupe told me this in confidence. So we resolved to make that journey together. Some thought it was too bold an adventure in me, after what I had written and acted in the matters of religion, to go to Rome. But others, who judged better, thought I ran no hazard in going thither: for, besides the high civility, with which all strangers are treated there, they were at that time in such hopes of gaining England, that it was not reasonable to think that they would raise the apprehensions of the nation, by using any that belonged to it ill: and the destroying me would not do them the service that could in any sort balance the prejudice that might arise from the noise it would make. And indeed I met with so high a civility at Rome, that it fully justified this opinion.

Pope Innocent the Eleventh, Odescalchi, knew who I was the day after I came to Rome.

And he ordered the captain of the Swiss guards to tell Stoupe that he had heard of me, and would give me a private audience a-bed, to save me from the ceremony of the pantoufle\*. But I knew the noise that this would make, so I resolved to avoid it, and excused it upon my speaking Italian so ill as I did. But cardinal Howard and the cardinal d'Estrees treated me with great freedom. The latter talked much with me concerning the orders of our church, to know whether they had been brought down to us by men truly ordained or not; for, he said, they apprehended things would be much more easily brought about, if our orders could be esteemed valid, though given in heresy and schism. I told him, I was glad they were not possessed with any opinion that made the reconciliation more difficult; but, as for the matter of fact, nothing was more certain than that the ordinations in the beginning of queen Elizabeth's reign were canonical and regular. He seemed to be persuaded of the truth of this, but lamented that it was impossible to bring the Romans to think so.

Cardinal Howard showed me all his letters from England, by which I saw that those who wrote to him reckoned, that their designs were so well laid that they could not miscarry. They thought they should certainly carry everything in the next session of parliament. There was a high strain of insolence in their letters: and they reckoned, they were so sure of the king, that they seemed to have no doubt left of their succeeding in the reduction of England. The Romans and Italians were much troubled at all this: for they were under such apprehensions of the growth of the French power, and had conceived such hopes of the king of England's putting a stop to it, that they were sorry to see the king engage himself so in the design of changing the religion of his subjects, which they thought would create him so much trouble at home, that he would neither have leisure, nor strength, to look after the common concerns of Europe. The cardinal told me, that all the advices written over from thence to England were for slow, calm, and moderate courses. He said, he wished he was at liberty to show me the copies of them; but he saw more violent courses were more acceptable, and would probably be followed. And he added, that these were the production of England, far different from the counsels of Rome.

He also told me, that they had not instruments enough to work with: for, though they were sending over all that were capable of the mission, yet he expected no great matters from them. Few of them spoke true English. They came over young, and retained all the English that they brought over with them, which was only the language of boys; but, their education being among strangers, they had formed themselves so upon that model, that really they preached as Frenchmen, or Italians, in English words: of which he was every day warning them, for he knew this could have no good effect in England. He also spoke with great sense of the proceedings in France, which he apprehended would have very ill consequences in England. I shall only add one other particular, which will show the soft temper of that good natured man.

He used me in such a manner, that it was much observed by many others. So two French gentlemen desired a note from me to introduce them to him. Their design was to be furnished with reliques; for he was then the cardinal that looked after that matter. One evening I came in to him as he was very busy in giving them some reliques. So I was called in to see them: and I whispered to him in English, that it was somewhat odd that a priest of the church of England should be at Rome, helping them off with the ware of Babylon. He was so pleased with this, that he repeated it to the others in French; and told the Frenchmen, that they should tell their countrymen how bold the heretics, and how mild the cardinals, were, at Rome.

I staid in Rome till prince Borghese came to me, and told me it was time for me to go. I had got great acquaintance there. And, though I did not provoke any to discourse of points of controversy, yet I defended myself against all those who attacked me with the same freedom that I had done in other places. This began to be taken notice of. So upon the first intimation I came away, and returned by Marseilles. And then I went through those southern provinces of France, that were at that time a scene of barbarity and cruelty.

I intended to have gone to Orange; but Tessè, with a body of dragoons, was then quar-

\* Kissing his foot, or slipper.

tered over that small principality, and was treating the protestants there in the same manner that the French subjects were treated in other parts. So I went not in, but passed near it, and had this account of that matter from some that were the most considerable men of the principality. Many inhabitants of the neighbouring places fled thither from the persecution: upon which a letter was written to the government there, in the name of the king of France, requiring them to put all his subjects out of their territory. This was hard. Yet they were too naked, and exposed, to dispute anything with those who could command everything. So they ordered all the French to withdraw. Upon which Tessè, who commanded in those parts, wrote to them, that the king would be well satisfied with the obedience they had given his orders. They upon this were quiet, and thought there was no danger. But the next morning Tessè marched his dragoons into the town, and let them loose upon them, as he had done upon the subjects of France. And they plied as feebly as most of the French had done. This was done while that principality was in the possession of the prince of Orange, pursuant to an article of the treaty of Nimeguen, of which the king of England was the guarantee. Whether the French had the king's consent to this, or if they presumed upon it, was not known. It is certain, he ordered two memorials to be given in at that court, complaining of it in very high terms. But nothing followed on it. And, some months after, the king of France did unite Orange to the rest of Provence, and suppressed all the rights it had as a distinct principality. The king wrote upon it to the princess of Orange, that he could do no more in that matter, unless he should declare war upon it; which he could not think fit for a thing of such small importance.

But now the session of parliament drew on. And there was a great expectation of the issue of it. For some weeks before it met there was such a number of refugees coming over every day, who set about a most dismal recital of the persecution in France, and that in so many instances that were crying and odious, that, though all endeavours were used to lessen the clamour this had raised, yet the king did not stick openly to condemn it, as both unchristian and unpolitic. He took pains to clear the Jesuits of it, and laid the blame of it chiefly on the king, on madame de Maintenon, and the archbishop of Paris. He spoke often of it with such vehemence, that there seemed to be an affectation in it. He did more. He was very kind to the refugees. He was liberal to many of them. He ordered a brief for a charitable collection over the nation for them all: upon which great sums were sent in. They were deposited in good hands, and well distributed. The king also ordered them to be denized without paying the fees, and gave them great immunities. So that in all there came over first and last, between forty and fifty thousand of that nation. Here was such a real instance of the cruel and persecuting spirit of popery, wheresoever it prevailed, that few could resist this conviction. So that all men confessed that the French persecution came very seasonably to awaken the nation, and open men's eyes in so critical a conjuncture: for upon this session of parliament all did depend.

When it was opened, the king told them how happy his forces had been in reducing a dangerous rebellion, in which it had appeared how weak and insignificant the militia was: and therefore he saw the necessity of keeping up an army for all their security. He had put some in commission of whose loyalty he was well assured: and they had served him so well that he would not put that affront on them, and on himself, to turn them out. He told them, all the world saw, and they had felt the happiness of a good understanding between him and his parliament: so he hoped nothing should be done on their part to interrupt it, as he, on his own part, would observe all that he had promised.

Thus he fell upon the two most unacceptable points that he could have found out; which were, a standing army, and a violation of the act of the test. There were some debates in the house of lords about thanking the king for his speech. It was pressed by the courtiers, as a piece of respect that was always paid. To this some answered, that was done when there were gracious assurances given. Only the earl of Devonshire said, he was for giving thanks, because the king had spoken out so plainly, and warned them of what they might look for. It was carried in the house to make an address of thanks for the speech. The lord Guilford, North, was now dead. He was a crafty and designing man. He had no mind to part with the great seal; and yet he saw, he could not hold it without an entire



compliance with the pleasure of the court. An appeal against a decree of his had been brought before the lords in the former session; and it was not only reversed with many severe reflections on him that made it, but the earl of Nottingham, who hated him, because he had endeavoured to detract from his father's memory, had got together so many instances of his ill administration of justice, that he exposed him severely for it. And, it was believed, that gave the crisis to the uneasiness and distraction of mind he was labouring under. He languished for some time; and died despised, and ill thought of by the whole nation\*.

Nothing but his successor made him be remembered with regret: for Jeffreys had the seals. He had been made a peer while he was chief justice, which had not been done for some ages; but he affected to be an original in every thing. A day or two after the session was opened, the lords went upon the consideration of the king's speech; and, when some began to make remarks upon it, they were told, that by giving thanks for the speech, they had precluded themselves from finding fault with any part of it. This was rejected with indignation, and put an end to that compliment of giving thanks for a speech, when there was no special reason for it. The lords Halifax, Nottingham, and Mordaunt, were the chief arguers among the temporal lords. The bishop of London (Compton) spoke often likewise: and twice or thrice he said, he spoke not only his own sense, but the sense of that whole bench. They said, the Test was now the best fence they had for their religion: if they gave up so great a point, all the rest would soon follow; and if the king might by his authority supersede such a law, fortified with so many clauses, and above all with that of an incapacity, it was in vain to think of law any more: the government would become arbitrary and absolute. Jeffreys began to argue in his rough manner; but he was soon taken down; it appearing, that how furiously soever he raved on the bench, where he played the tyrant, yet where others might speak with him on equal terms, he was a very contemptible man: and he received as great a mortification, as such a brutal man was capable of.

But as the scene lay in the house of commons, so the debates there were more important. A project was offered for making the militia more useful in order to the disbanding the army. But, to oppose that, the court shewed, how great a danger we had lately escaped, and how much of an ill heaven yet remained in the nation, so that it was necessary a force should be kept up. The court moved for a subsidy, the king having been at much extraordinary charge in reducing the late rebellion. Many, that were resolved to assert the business of the Test with great firmness, thought, the voting of money first was the decenter way of managing the opposition to the court: whereas others opposed this, having often observed, that the voting of money was the giving up the whole session to the court. The court wrought on many weak men with this topic, that the only way to gain the king, and to dispose him to agree to them in the business of the Test, was to begin with the supply. This had so great an effect, that it was carried only by one vote to consider the king's speech, before they should proceed to the supply†. It was understood, that when they received satisfaction in other things, they were resolved to give five hundred thousand pounds.

They went next to consider the act about the Test, and the violations of it, with the king's speech upon that head. The reasoning was clear and full on the one hand. The court offered nothing on the other hand in the way of argument, but the danger of offending the king, and of raising a misunderstanding between him and them. So the whole house went unanimously into a vote for an address to the king, that he would maintain the laws, in particular that concerning the test. But with that they offered to pass a bill, for indemnifying those who had broken that law; and were ready to have considered them in the supply that they intended to give.

The king expressed his resentments of this with much vehemence, when the address was brought to him. He said, some men intended to disturb the good correspondence that was between him and them, which would be a great prejudice to the nation: he had declared

\* This is, *totis verbis*, differing from the character given the lord keeper in his "Life" by his brother, Mr. R. North.

† The Scotch earl of Middleton, then secretary of state, seeing many go out to vote against the court who were in its service, went down to the bar to reproach

them. "Sir," said he to Captain Kendal, "do you not command a troop of horse in his majesty's service?"—"Yes, my lord," replied the captain; but my brother died last night, and has left me 700*l.* a year!" Mr. Speaker Onslow says he had this from his uncle, who was present.—Oxford ed.

his mind so positively in that matter, that he hoped they would not have meddled with it. Yet, he said, he would still observe all the promises that he had made. This made some reflect on the violations of the edict of Nantes, by many of the late edicts that were set out in France, before the last that repealed it, in which the king of France had always declared, that he would maintain that edict, even when the breaches made upon it were the most visible and notorious. The house, upon this rough answer, was in a high fermentation. Yet, when one Cook said, that they were Englishmen, and were not to be threatened, because this seemed to be a want of respect, they sent him to the Tower; and obliged him to ask pardon for those indecent words. But they resolved to insist on their address, and then to proceed upon the petitions concerning elections. And now those, that durst not open their mouth before, spoke with much force upon this head. They said, it was a point upon which the nation expected justice, and they had a right to claim it. And it was probable, they would have condemned a great many elections; for an intimation was set round, that all those who had stuck to the interest of the nation, in the main points then before them, should be chosen over again, though it should be found that their election was void, and that a new writ should go out. By this means those petitions were now encouraged, and were likely to have a fair hearing, and a just decision: and it was believed, that the abject courtiers would have been voted out.

The king saw that both houses were now so fixed, that he could carry nothing in either of them, unless he would depart from his speech, and let the act of the test take place. So he prorogued the parliament, and kept it by repeated prorogations still on foot for about a year and a half, but without holding a session. All those who had either spoken, or voted, for the test, were soon after this disgraced, and turned out of their places, though many of these had served the king hitherto with great obsequiousness, and much zeal. He called for many of them, and spoke to them very earnestly upon that subject in his closet: upon which the term of *closeting* was much tossed about. Many of these gave him very flat and hardy denials: others, though more silent, yet were no less steady: so that, when, after a long practice both of threatening and ill usage on the one hand, and of promises and corruption on the other, the king saw he could not bring them into a compliance with him, he at last dissolved the parliament; by which he threw off a body of men, that were in all other respects sure to him, and that would have accepted a very moderate satisfaction from him at any time. And, indeed, in all England it would not have been easy to have found five hundred men so weak, so poor, and so devoted to the court, as these were. So happily was the nation taken out of their hands by the precipitated violence of a bigoted court.

Soon after the prorogation, the lord Delamer was brought to his trial. Some witnesses swore high treason against him only upon report, that he had designed to make a rebellion in Cheshire, and to join with the duke of Monmouth. But, since those swore only upon hearsay, that was no evidence in law. One witness swore home against him, and against two other gentlemen, who, as he said, were in company with him; and that treasonable messages were then given to him by them all to carry to some others. That which gave the greatest credit to the evidence was, that this lord had gone from London secretly to Cheshire, at the time of the duke of Monmouth's landing, and that after he had stayed a day or two in that county, he had come up as secretly to London. This looked suspicious, and made it to be believed, that he went to try what could be done. The credit of that single witness was overthrown by many unquestionable proofs, by which it appeared that the two gentlemen, who he said met with that lord in Cheshire, were all that while still in London. The witness, to gain the more credit, had brought others into the plot, by the common fate of false swearers, who bring in such circumstances to support their evidence, as they think will make it more credible, but, being ill laid, give a handle to those concerned to find out their falsehood. And that was the case of this witness; for, though little doubt was made of the truth of that which he swore against this lord, as to the main of his evidence, yet he had added such a mixture of falsehood to it, as being fully proved, destroyed the evidence. As for the secret journey to, and again between London and Cheshire, that lord said, he had been long a prisoner in the Tower upon bare suspicion: he had no mind to be lodged again there; so he resolved in that time of jealousy to go out of the way: and bearing that a child, of

which he was very fond, was sick in Cheshire, he went thither: and hearing from his lady that his eldest son was very ill at London, he made haste back again. This was well proved by his physicians and domestics, though it was a thing of very ill appearance, that he made such journeys so quick and so secretly at such a time. The solicitor-general, Finch, pursuant to the doctrine he had maintained in former trials, and perhaps to atone for the zeal he had shewed in the house of commons, for maintaining the act of the test, made a violent declamation, to prove that one witness with presumptions was sufficient to convict one of high treason. The peers did unanimously acquit the lord; so that trial ended to the great joy of the whole town; which was now turned to be as much against the court, as it had been of late years for it. Finch had been continued in his employment only to lay the load of this judgment upon him; and he acted his part in it with his usual vehemence. He was presently after turned out: and Powis succeeded him, who was a compliant young aspiring lawyer, though in himself he was no ill-natured man. Now the posts in the law began to be again taken care of; for it was resolved to act a piece of pageantry in Westminster-Hall, with which the next year began.

Sir Edward Hales, a gentleman of a noble family in Kent, declared himself a papist, though he had long disguised it; and had once to myself so solemnly denied it, that I was led from thence to see, there was no credit to be given to that sort of men, where their church, or religion, was concerned. He had an employment; and not taking the test, his coachman was set up to inform against him, and to claim the 500*l.* that the law gave to the informer. When this was to be brought to trial, the judges were secretly asked their opinions; and such as were not clear, to judge as the court did direct, were turned out: and upon two, or three, canvassings the half of them were dismissed, and others of more pliable and obedient understandings were put in their places. Some of these were weak and ignorant to a scandal. The suit went on in a feeble prosecution; and in Trinity Term judgment was given.

There was a new chief justice found out, very different indeed from Jeffreys, sir Edward Herbert. He was a well bred and a virtuous man, generous, and good-natured. He was but an indifferent lawyer; and had gone to Ireland to find practice and preferment there. He unhappily got into a set of very high notions with relation to the king's prerogative. His gravity and virtues gave him great advantages, chiefly his succeeding such a monster as had gone before him. So he, being found to be a fit tool, was, without any application of his own, raised up all at once to this high post\*. After the coachman's cause had been argued with a most indecent coldness, by those who were made use of on design to expose and betray it, it was said, in favour of the prerogative, that the government of England was entirely in the king: that the crown was an imperial crown, the importance of which was, that it was absolute: all penal laws were powers lodged in the crown, to enable the king to force the execution of the law, but were not bars to limit, or bind up, the king's power: the king could pardon all offences against the law, and forgive the penalties; and why could not he as well dispense with them? Acts of parliament had been often superseded: the judges had sometimes given directions in their charges at circuits, to enquire after some acts of parliament no more; of which one late instance happened during the

\* Sir Edward Herbert, born about 1646, was a younger brother of admiral Herbert, who will be next mentioned. They were sons of sir Edward Herbert, knight, of London. He was of Winchester and New College. He took his bachelors's degree in arts, and then became a student of the Middle Temple. He was successively attorney-general in Ireland, and chief justice of Chester. In 1683 he was knighted, and made attorney to the duke of York, when sir John Churchill was promoted to the mastership of the rolls in the place of sir H. Grimstone. In 1685, he was promoted to the lord chief justiceship of the king's bench, and made a privy councillor. In 1686, he sat as one of the ecclesiastical commissioners. In the following year he was removed to be chief of the common pleas, because he would not interpret the law in the king's bench so as to take away the life of a soldier who deserted his colours upon Hounslow Heath. It is said that sir Robert Wright was promoted to his seat,

having promised to be more complying in shedding blood! —(Woolrych's Life of Jeffreys.) When James the Second abdicated, sir Edward followed him during his exile, and was made by the ex-monarch earl of Portland, and lord chancellor; consequently he was excepted out of the bill of indemnity. His conduct as detailed above shews that he was a mild, conscientious man. That he was fearless of offending the highest powers when his duty required it is further proved by his exposing Jeffreys upon the bench, by demonstrating his bribes and corruptions when in the west; which "extremely offended" the king.—(Singer's correspondence.) Sir Edward published "A short Account of the Authorities upon which judgment was given in sir Edward Hale's case." This was refuted in pamphlets by a Mr. Attwood, and sir Robert Atkins.—(Wood's Athenæ Oxon.) King William gave his estate to his brother, admiral Herbert.—Oxford edition of this work.



former reign : an act passed concerning the size of carts and waggons, with many penalties upon the transgressors ; and yet, when it appeared that the model prescribed in the act was not practicable, the judges gave direction not to execute the act.

These were the arguments brought to support the king's dispensing power. In opposition to this it was said, though not at the bar, yet in the common discourse of the town, that if penalties did arise only by virtue of the king's proclamation, it was reasonable that the power of dispensing should be only in the king : but since the prerogative was once constituted and limited by law, and since penalties were imposed to force the observation of laws, that were necessary for the public safety, it was an overturning the whole government, and the changing it from a legal into a despotic form, to say that laws, made and declared not to be capable of being dispensed with, where one of the penalties was an incapacity, which by a maxim of law cannot be taken away, even by a pardon, should at the pleasure of the prince be dispensed with ; a fine was also set by the act on offenders, but not given to the king, but to the informer, which thereby became his. So that the king could no more pardon that, than he could discharge the debts of the subjects, and take away property. Laws of small consequence, when a visible error not observed in making them was afterwards found out, like that of the size of carts, might well be superseded : for the intention of the legislature being the good of the subject, that is always to be presumed for the repeal of an impracticable law. But it was not reasonable to infer from thence, that a law made for the security of the government, with the most effectual clauses that could be contrived, on design to force the execution of it, even in bar to the power of the prerogative, should be made so precarious a thing, especially when it was so lately asserted with so much vigour by the representatives of the nation. It was said, that, though this was now only applied to one statute, yet the same force of reason would hold to annul all our laws : and the penalty being that which is the life of the law, the dispensing with penalties might soon be carried so far, as to dissolve the whole government : and the security that the subjects had were only from the laws, or rather from the penalties, since laws without these were feeble things, which tied men only according to their own discretion.

Thus was this matter tossed about in the arguments, with which all people's mouths were now filled : but judges, who are beforehand determined how to give their opinions, will not be much moved even by the strongest arguments. The ludicrous ones used on this occasion at the bar were rather a farce, fitter for a mock trial in a play, than such as became men of learning in so important a matter. Great expectations were raised, to hear with what arguments the judges would maintain the judgment that they should give. But they made nothing of it ; and without any arguing gave judgment for the defendant, as if it had been in a cause of course.

Now the matter was as much settled, as a decision in the King's Bench could settle it. Yet so little regard had the chief justice's nearest friends to his opinion in this particular, that his brother, admiral Herbert, being pressed by the king to promise that he would vote the repeal of the test, answered the king very plainly, that he could not do it either in honour, or conscience. The king said, he knew he was a man of honour, but the rest of his life did not look like a man that had great regard to conscience. He answered boldly, he had his faults, but they were such, that other people, who talked more of conscience, were guilty of the like. He was indeed a man abandoned to luxury and vice. But, though he was poor, and had much to lose, having places to the value of 4000*l.* a year, he chose to lose them all rather than comply. This made much noise : for as he had a great reputation for his conduct in sea affairs, so he had been most passionately zealous in the king's service, from his first setting out to that day. It appeared by this, that no past services would be considered, if men were not resolved to comply in every thing. The door was now opened, so all regard to the test was laid aside. And all men that intended to recommend themselves took employments, and accepted of this dispensing power. This was done even by some of those who continued still protestants, though the far greater number of them continued to qualify themselves according to law \*.

\* Arthur Herbert, the admiral, who spoke so fearlessly to James, had been employed by Charles the Second at Tangier, and Algiers. He became an exile in Holland at

the time his brother was trying the bishops. He will be noticed in future pages.—Noble.

Many of the papists, that were men of quiet or of fearful tempers, did not like these methods: they thought the priests went too fast, and the king was too eager in pursuing every thing that was suggested by them. One Peter, descended from a noble family, a man of no learning, nor any way famed for his virtue, but who made all up in boldness and zeal, was the jesuit of them all that seemed animated with the most courage. He had, during the popish plot, been introduced to the king, and had suggested things that shewed him a resolute and undertaking man. Upon that the king looked on him as the fittest man to be set at the head of his counsels. So he was now considered as the person who of all others had the greatest credit. He applied himself most to the earl of Sunderland, and was for some time chiefly directed by him\*.

The maxim that the king set up, and about which he entertained all that were about him, was, the great happiness of an universal toleration. On this the king used to enlarge in a great variety of topics. He said nothing was more reasonable, more christian, and more politic: and he reflected much on the church of England, for the severities with which dissenters had been treated. This, how true, or just, soever it might be, yet was strange doctrine in the mouth of a professed papist, and of a prince on whose account, and by whose direction, the church party had been, indeed, but too obsequiously, pushed on to that rigour. But, since the church party could not be brought to comply with the design of the court, applications were now made to the dissenters: and all on a sudden the churchmen were disgraced, and the dissenters were in high favour. Chief justice Herbert went the western circuit after Jeffreys's bloody one. And now all was grace and favour to them. Their former sufferings were much reflected on, and pitied. Every thing was offered that could alleviate their sufferings. Their teachers were now encouraged to set up their conventicles again, which had been discontinued, or held very secretly, for four or five years. Intimations were every where given, that the king would not have them, or their meetings to be disturbed. Some of them began to grow insolent upon this shew of favour; but wiser men among them saw through all this, and perceived the design of the papists was now, to set on the dissenters against the church, as much as they had formerly set the church against them: and therefore, though they returned to their conventicles, yet they had a just jealousy of the ill designs, that lay hid under all this sudden and unexpected shew of grace and kindness: and they took care not to provoke the church party.

Many of the clergy acted now a part that made good amends for past errors. They began to preach generally against popery, which the dissenters did not. They set themselves to study the points of controversy: and upon that there followed a great variety of small books, that were easily purchased and soon read. They examined all the points of popery with a solidity of judgment, a clearness of arguing, a depth of learning, and a vivacity of writing, far beyond any thing that had before that time appeared in our language. The truth is, they were very unequally yoked; for, if they are justly to be reckoned among the best writers that have yet appeared on the protestant side, those they wrote against were certainly among the weakest that had ever appeared on the popish side. Their books were poorly but insolently written; and had no other learning in them, but what was taken out of some French writers, which they put into very bad English; so that a victory over them need have been but by a mean performance.

This had a mighty effect on the whole nation; even those who could not search things to the bottom, yet were amazed at the great inequality that appeared in this engagement. The papists, who knew what service the bishop of Meaux's book had done in France, resolved to pursue the same method here in several treatises, which they entitled "Papists represented and misrepresented;" to which such clear answers were written, that what effect soever that artifice might have, where it was supported by the authority of a great king, and the terror of ill usage, and a dragoonade in conclusion, yet it succeeded so ill in England, that it

\* Father Edward Peters had some abilities, but these were completely rendered nugatory by his vanity, ambition, and rashness. It is evident from the Clarendon papers, that all the moderate statesmen of the period were opposed to him. Lords Clarendon, Nottingham, and others,

would not sit at the council board with him. He was James the Second's confessor. Frequent notices of him will occur in the following pages, and further information may be found in Dodd's Hist. of the English Church, Dalrymple's Memoirs, Clarendon Correspondence, &c.

gave occasion to enquire into the true opinions of that church, not as some artful writers had disguised them, but as they were laid down in the books that are of authority among them, such as the decisions of councils received among them, and their established *offices*, and as they are held at Rome, and in all those countries where popery prevails without any intermixture with heretics, or apprehension of them, as in Spain and Portugal. This was done in so authentic a manner, that popery itself was never so well understood by the nation, as it came to be upon this occasion.

The persons who both managed and directed this controversial war, were chiefly Tillotson, Stillington, Tennison, and Patrick. Next them were Sherlock, Williams, Claget, Gee, Aldrich, Atterbury, Whitby, Hooper, and above all these, Wake, who having been long in France, chaplain to the lord Preston, brought over with him many curious discoveries, that were both useful and surprising. Besides the chief writers of those books of controversy, there were many sermons preached and printed on those heads, that did very much edify the whole nation. And this matter was managed with that concert, that for the most part once a week some new book, or sermon, came out, which both instructed, and animated, those who read them. There were but very few proselytes gained to popery; and these were so inconsiderable, that they were rather a reproach than an honour to them. Walker, the head of University college \*, and five or six more at Oxford, declared themselves to be of that religion; but with this brand of infamy, that they had continued for several years complying with the doctrine and worship of the church of England after they were reconciled to the church of Rome. The popish priests were enraged at this opposition made by the clergy, when they saw their religion so exposed, and themselves so much despised. They said, it was ill manners and want of duty to treat the king's religion with so much contempt.

It was resolved to proceed severely against some of the preachers, and to try if by that means they might intimidate the rest. Dr. Sharp was the rector of St. Giles's, and was both a very pious man, and one of the most popular preachers of the age, who had a peculiar talent of reading his sermons with much life and zeal. He received one day, as he was coming out of the pulpit, a paper sent him, as he believed, by a priest, containing a sort of challenge upon some points of controversy, touched by him in some of his sermons. Upon this, he, not knowing to whom he should send an answer, preached a sermon in answer to it; and, after he had confuted it, he concluded shewing how unreasonable it was for protestants to change their religion on such grounds. This was carried to court, and represented there, as a reflection on the king for changing on those grounds.

The information, as to the words pretended to be spoken by Sharp, was false, as he himself assured me; but, without enquiring into that, the earl of Sunderland sent an order to the bishop of London (Compton), in the king's name, requiring him to suspend Sharp immediately, and then to examine the matter. The bishop answered, that he had no power to proceed in such a summary way; but, if an accusation were brought into his court in a regular way, he would proceed to such a censure, as could be warranted by the ecclesiastical law: yet, he said, he would do that which was in his power, and should be upon the matter a suspension; for he desired Sharp to abstain from officiating, till the matter should be better understood. But to lay such a censure on a clergyman, as a suspension, without proof, in a judiciary proceeding, was contrary both to law and justice. Sharp went to court to shew the notes of his sermon, which he was ready to swear were those from which he had read it, by which the falsehood of the information would appear. But, since he was not suspended, he was not admitted. Yet he was let alone; and it was resolved to proceed against the bishop of London for contempt.

Jeffreys was much sunk at court, and Herbert was the most in favour. But now Jeffreys, to recommend himself, offered a bold and illegal advice, for setting up an ecclesiastical commission, without calling it the high commission, pretending it was only a standing court of delegates. The act that put down the high commission in the year 1640 had provided by a clause, as full as could be conceived, that no court should be ever set up for those matters,

\* This was Dr. Obadiah Walker; see an account of him in Wood's *Athenæ Oxon.*



besides the ordinary ecclesiastical courts. Yet, in contempt of that, a court was erected, with full power to proceed in a summary and arbitrary way in all ecclesiastical matters, without limitations to any rule of law in their proceedings. This stretch of the supremacy, so contrary to law, was assumed by a king, whose religion made him condemn all that supremacy, that the law had vested in the crown.

The persons with whom this power was lodged, were the archbishop of Canterbury (Sancroft), and the bishops of Duresme (Crew), and Rochester (Sprat), and the lord chancellor, the lord treasurer (Rochester), and lord chief justice (Herbert), the lord chancellor being made president in the court "*sine quo non*;" for they would trust this to no other management. The bishop of London was marked out to be the first sacrifice. Sancroft lay silent at Lambeth. He seemed zealous against popery in private discourse; but he was of such a timorous temper, and so set on the enriching his nephew, that he shewed no sort of courage. He would not go to this court when it was first opened, and declare against it, and give his reasons why he could not sit and act in it, judging it to be against law: but he contented himself with his not going to it. The other two bishops were more compliant. Duresme was lifted up with it, and said, now his name would be recorded in history: and when some of his friends represented to him the danger of acting in a court so illegally constituted, he said, he could not live if he should lose the king's gracious smiles; so low, and so fawning was he\*. Dolben, archbishop of York, died this year. So, as Sprat had succeeded him in Rochester, he had some hopes let fall of succeeding likewise in York: but the court had laid it down for a maxim, to keep all the great sees, that should become vacant, still empty, till they might fill them to their own mind: so he was mistaken in his expectations, if he ever had them.

The bishop of London was the first person that was summoned to appear before this new court. He was attended by many persons of great quality, which gave a new offence: and the lord chancellor treated him in that brutal way, that was now become as it were natural to him. The bishop said, here was a new court of which he knew nothing: so he desired a copy of the commission that authorised them. And after he had drawn out the matters by delays for some time, hoping that the king might accept of some general and respectful submission, and so let the matter fall; at last he came to make his defence, all secret methods to divert the storm proving ineffectual. The first part of it was an exception to the authority of the court, as being not only founded on no law, but contrary to the express words of the act of parliament, that put down the high commission. Yet this point was rather insinuated, than urged with the force that might have been used; for it was said, that, if the bishop should insist too much on that, it would draw a much heavier measure of indignation on him; therefore it was rather opened, and modestly represented to the court, than strongly argued. But it may be easily believed, that those who sat by virtue of this illegal commission would maintain their own authority. The other part of the bishop of London's plea was, that he had obeyed the king's orders, as far as he legally could; for he had obliged Dr. Sharp to act as a man that was suspended; but that he could not lay an ecclesiastical censure on any of his clergy without a process, and articles, and some proof brought. This was justified by the constant practice of the ecclesiastical courts, and by the judgment of all lawyers. But arguments, how strong soever, are feeble things, when a sentence is resolved on before the cause is heard. So it was proposed, that he should be suspended during the king's pleasure. The lord chancellor, and the poor-spirited bishop of Duresme were for this: but the earl and bishop of Rochester, and the lord chief justice Herbert, were for acquitting him. There was not so much as a colour of law to support the sentence; so none could be given.

\* Of this prelate, Dr. Nathaniel Crew, it is unnecessary to relate more than is told in his epitaph; for he was a base-spirited, fawning, vain, ambitious truckler to the higher powers; who bought his preferment by a bribe of some thousands to Nell Gwyn, and whose charities were not bestowed until the last days of his existence. If more full particulars are required, they will be found in the *Biographia Britannica*, by Dr. Kippis, Wood's *Athenae Oxon.* and Hutchinson's *Hist. of Durham*. His epi-

taph, in Stene chapel, Northamptonshire, is as follows;—  
"Near this place lieth the body of the right reverend, and right honourable Nathaniel, Lord Crew, lord bishop of Durham, and baron Stene, fifth son of John Lord Crew. He was born Jan. 31, 1633; was consecrated bishop of Oxford, 1671: translated to Durham in 1674; was clerk of the closet, and privy councillor in the reigns of king Charles the Second, and king James the Second, and died Sept. 18, 1721, aged eighty-eight"

But the king was resolved to carry this point, and spoke roundly about it to the earl of Rochester. He saw he must either concur in the sentence, or part with the white staff. So he yielded. And the bishop was suspended *ab officio*. They did not think fit to meddle with his revenues. For the lawyers had settled that point, that benefices were of the nature of freeholds. So, if the sentence had gone to the temporalities, the bishop would have had the matter tried over again in the king's bench, where he was likely to find good justice, Herbert not being satisfied with the legality and justice of the sentence. While this matter was in dependence, the princess of Orange thought it became her, to interpose a little in the bishop's favour. He had confirmed, and married her. So she wrote to the king, earnestly begging him to be gentle to the bishop, who she could not think would offend willingly. She also wrote to the bishop, expressing the great share she took in the trouble he was fallen into. The prince wrote to him to the same purpose. The king wrote an answer to the princess, reflecting severely on the bishop, not without some sharpness on her for meddling in such matters; yet the court seemed uneasy, when they saw they had gained so poor a victory; for now the bishop was more considered than ever. His clergy, for all the suspension, were really more governed by the secret intimations of his pleasure, than they had been by his authority before. So they resolved to come off as well as they could. Dr. Sharp was admitted to offer a general petition, importing how sorry he was, to find himself under the king's displeasure: upon which he was dismissed with a gentle reprimand, and suffered to return to the exercise of his function. According to the form of the ecclesiastical courts, a person under such a suspension must make a submission within six months; otherwise he may be proceeded against as obstinate. So, six months after the sentence, the bishop sent a petition to the king, desiring to be restored to the exercise of his episcopal function. But he made no acknowledgment of any fault: so this had no other effect, but that it stopped all further proceedings; only the suspension lay still on him. I have laid all this matter together, though the progress of it ran into the year eighty-seven.

Affairs in Scotland went on much at the same rate as they did in England. Some few proselytes were gained; but as they were very few, so they could do little service to the side to which they joined themselves. The earl of Perth prevailed with his lady, as she was dying, to change her religion: and in a very few weeks after her death he married very indecently a sister of the duke of Gordon's. They were first cousins; and yet, without staying for a dispensation from Rome, they ventured on a marriage, upon the assurances that they said their confessor gave them, that it would be easily obtained. But Pope Innocent was a stiff man, and did not grant those things easily: so that cardinal Howard could not at first obtain it. The pope said, these were strange converts, that would venture on such a thing without first obtaining a dispensation. The cardinal pretended, that new converts did not so soon understand the laws of the church; but he laid before the pope the ill consequences of offending converts of such importance. So he prevailed at last, not without great difficulty. The earl of Perth set up a private chapel in the court for mass, which was not kept so private, but that many frequented it.

The town of Edinburgh was much alarmed at this; and the rabble broke in with such fury, that they defaced every thing in the chapel: and if the earl of Perth had not been conveyed away in disguise, he had very probably fallen a sacrifice to popular rage. The guards upon the alarm came, and dispersed the rabble: some were taken; and one that was a ring-leader in the tumult was executed for it. When he was at the place of execution, he told one of the ministers of the town, that was with him assisting him with his prayers, that he was offered his life, if he would accuse the duke of Queensborough as the person that had set on the tumult, but he would not save his life by so false a calumny. Mr. Macom, the minister, was an honest but weak man. So, when the criminal charged him to make this discovery, he did not call any of those who were present to bear witness of it: but in the simplicity of his heart he went from the execution to the archbishop of St. Andrews, and told him what had passed. The archbishop acquainted the duke of Queensborough with it: and he wrote to court, and complained of it. The king ordered the matter to be examined. So the poor minister, having no witness to attest what the criminal had said to him, was declared the forger of that calumny: and upon that he was turned out. But how severely soever

those in authority may handle a poor incautious man, yet the public is apt to judge true. And, in this case, as the minister's weakness and misfortune was pitied, so the earl of Perth's malice and treachery was as much detested.

In summer this year, the earl of Murray, another new convert, was sent the king's commissioner to hold a parliament in Scotland, and to try if it would be more compliant than the English parliament had been. The king did by his letter recommend to them, in very earnest words, the taking off all penal laws and tests relating to religion. And all possible methods were used to prevail on a majority. But two accidents happened before the opening the parliament, which made great impression on the minds of many.

Whitford, son to one of their bishops before the wars, had turned papist. He was the person that killed Darislaus in Holland; and, that he might get out of Cromwell's reach, he had gone into the duke of Savoy's service, and was there when the last massacre was committed on the Vaudois. He had committed many barbarous murders with his own hands, and had a small pension given him after the restoration. He died a few days before the parliament met; and called for some ministers, and to them declared his forsaking of popery, and his abhorrence of it for its cruelty. He said, he had been guilty of some execrable murders in Piedmont, both of women and children, which had pursued him with an intolerable horror of mind ever after. He had gone to priests of all sorts, the strictest as well as the easiest, and they had justified him in what he had done, and had given him absolution. But his conscience pursued him so, that he died as in despair, crying out against that bloody religion.

The other was more solemn. Sir Robert Sibbald, a doctor of physic, and the most learned antiquary in Scotland, who had lived in a course of philosophical virtue, but in great doubts as to revealed religion, was prevailed on by the earl of Perth to turn papist, in hopes to find that certainty among them, which he could not arrive at upon his own principles. But he had no sooner done this, than he began to be ashamed, that he had made such a step upon so little enquiry. So he went to London, and retired for some months from all company, and went into a deep course of study, by which he came to see into the errors of popery, with so full a conviction, that he came down to Scotland some weeks before the parliament, and could not be at quiet till he had published his recantation openly in a church. The bishop of Edinburgh was so much a courtier, that, apprehending many might go to hear it, and that it might give offence at court, he sent him to do it in a church in the country. But the recantation of so learned a man, upon so much study, had a great effect upon many\*.

Rosse and Paterson, the two governing bishops, resolved to let the king see how compliant they would be. And they procured an address to be signed by several of their bench, offering to concur with the king in all that he desired, with relation to those of his own religion, (for the courtly style now was not to name popery any other way than by calling it the king's religion) provided the laws might still continue in force and be executed against the presbyterians. With this Paterson was sent up. He communicated the matter to the earl of Middleton, who advised him never to shew that paper; it would be made use of against them, and render them odious: and the king and all his priests were so sensible, that it was an indecent thing for them to pretend to any special favour, that they were resolved to move for nothing but a general toleration. And so he persuaded him to go back without presenting it. This was told me by one who had it from the earl himself.

When the session of parliament was opened, duke Hamilton was silent in the debate. He promised he would not oppose the motion; but he would not be active to promote it. The duke of Queensborough was also silent; but the king was made believe that he managed the opposition under hand. Rosse and Paterson did so entirely forget what became their characters, that they used their utmost endeavours to persuade the parliament to comply with the king's desire. The archbishop of Glasgow opposed it, but fearfully. The bishop of Dunkeld, Bruce, did it openly and resolutely; and so did the bishop of Galloway. The rest were silent, but were resolved to vote for the continuance of the laws. Such was the meanness of most of the nobility, and of the other members, that few did hope that a resist-

\* Sir Robert Sibbald published several works relative to the history of Scotland. He died about 1621. Charles the second patronized him.—Gen. Biog. Dict.



ance to the court could be maintained. Yet the parliament would consent to nothing, further than to a suspension of those laws during the king's life. The king despised this: so the session was put off, and the parliament was quickly dissolved. And, soon after that, both the archbishop of Glasgow and the bishop of Dunkeld were turned out, by an express command from the king. And Paterson was made archbishop of Glasgow. And one Hamilton, noted for profaneness and impiety, that sometimes broke out into blasphemy, was made bishop of Dunkeld. No reason was assigned for turning out those bishops, but the king's pleasure.

The nation, which was become very corrupt, and both ignorant and insensible in the matters of religion, began now to return to its old zeal against popery. Few proselytes were made after this. The episcopal clergy were in many places so sunk into sloth and ignorance, that they were not capable of conducting this zeal. Some of them about Edinburgh, and in divers other places, began to mind those matters, and recovered some degrees of credit by the opposition they made to popery. But the presbyterians, though they were now freed from the great severities they had long smarted under, yet expressed on all occasions their unconquerable aversion to popery. So the court was soon convinced, that they were not to be depended on.

But, what opposition soever the king met with in the isle of Britain, things went on more to his mind in Ireland. The earl of Clarendon, upon his first coming over, gave public and positive assurances that the king would maintain their act of settlement. This he did very often, and very solemnly; and proceeded accordingly. In the mean while the earl of Tirconnel went on more roundly. He not only put Irish papists into such posts in the army as became void, but upon the slightest pretences he broke the English protestant officers, to make room for the others: and in conclusion, without so much as pretending a colour for it, he turned them all out. And now an army, paid by virtue of the act of settlement to secure it, was wrested out of legal hands, and put in the hands of those who were engaged, both in religion and interest, to destroy the settlement, and those concerned in it; which was too gross a violation of law to be in any sort palliated. So the English protestants of Ireland looked on themselves as at mercy, since the army was now made up of their enemies. And all that the lord lieutenant, or the lord chancellor could say, did not quiet their fears: good words could not give security against such deeds as they saw every day. Upon this the earl of Clarendon, and the earl of Tirconnel, fell into perpetual jarrings, and were making such complaints one of another, that the king resolved to put an end to those disorders by recalling both the earl of Clarendon and Porter. He made the earl of Tirconnel lord lieutenant, and Fitton lord chancellor, who were both not only professed but zealous papists. Fitton knew no other law but the king's pleasure\*.

This struck all people there with great terror, when a man of Tirconnel's temper, so entirely trusted and depended on by the Irish, capable of the boldest undertakings, and of the cruelest execution, had now the government put so entirely in his hands. The papists of England either dissembled very artificially, or they were much troubled at this, which gave so great an alarm every where. It was visible, that father Peter, and the Jesuits, were resolved to engage the king so far, that matters should be put past all retreating and compounding; that so the king might think no more of governing by parliament, but by a military force; and, if that should not stick firm to him, by assistance from France, and by an Irish army.

An accident happened at this time, that gave the queen great offence, and put the priests much out of countenance. The king continued to go still to Mrs. Sedley; and she gained so much on him, that at last she prevailed to be made countess of Dorchester. As soon as the queen heard of this, she gave order to bring all the priests that were admitted to a particular confidence, into her closet. And, when she had them about her, she sent to desire the

\* Sir Alexander Fitton is thus mentioned by archbishop King. "He was detected of forgery, not only at Westminster and Chester, but likewise fined by the house of lords in parliament; he was brought out of gaol, and set in the highest court of the kingdom to keep the king's

conscience, though he wanted law and natural capacity, as well as honesty and courage, to discharge such a trust; and had no other quality to recommend him, besides being a converted papist; that is, a renegade to his religion and his country."—State of the Protestants in Ireland.

king to come and speak to her. When he came, he was surprised to see such a company about her, but much more when they fell all on their knees before him. And the queen broke out into a bitter mourning for this new honour, which they expected would be followed with the setting her up openly as mistress. The queen was then in an ill habit of body, and had an illness that, as was thought, would end in a consumption. And it was believed that her sickness was of such a nature, that it gave a very melancholy presage, that, if she should live, she could have no children. The priests said to the king, that a blemish in his life blasted their designs; and the more it appeared, and the longer it was continued, the more ineffectual all their endeavours would prove. The king was much moved with this, and was out of countenance for what he had done. But to quiet them all, he promised them, that he would see the lady no more; and pretended, that he gave her this title in order to the breaking with her the more decently. And, when the queen did not seem to believe this, he promised that he would send her to Ireland, which was done accordingly: but after a stay there for some months, she came over again; and that ill commerce was still continued. The priests were no doubt the more apprehensive of this, because she was bold and lively, and was always treating them and their proceedings with great contempt\*.

The court was now much set on making of converts, which failed in most instances, and produced repartees, that, whether true or false, were much repeated, and were heard with great satisfaction.

The earl of Mulgrave was lord chamberlain. He was apt to comply in every thing that he thought might be acceptable; for he went with the king to mass, and kneeled at it; and, being looked on as indifferent to all religions, the priests made an attack on him. He heard them gravely arguing for transubstantiation. He told them, he was willing to receive instruction: he had taken much pains to bring himself to believe in God, who had made the world and all men in it; but it must not be an ordinary force of argument that could make him believe that man was quits with God, and made God again.

The earl of Middleton had married into a popish family, and was a man of great parts and a generous temper, but of loose principles in religion. So a priest was sent to instruct him. He began with transubstantiation, of which he said he would convince him immediately: and began thus, "You believe the Trinity." Middleton stopped him, and said, "Who told you so?" At which he seemed amazed. So the earl said, he expected he should convince him of his belief, but not question him of his own. With this the priest was so disordered, that he could proceed no further. One day the king gave the duke of Norfolk the sword of state to carry before him to the chapel; and he stood at the door. Upon which the king said to him, "My lord, your father would have gone further:" to which the duke answered, "Your majesty's father was the better man, and he would not have gone so far." Kirk was also spoken to, to change his religion; and replied briskly, that he was already pre-engaged, for he had promised the king of Morocco, that if ever he changed his religion, he would turn Mahometan.

But the person that was the most considered, was the earl of Rochester. He told me, that upon the duke of Monmouth's defeat, the king did so immediately turn to other measures, that, though before that the king talked to him of all his affairs with great freedom, and commonly every morning of the business that was to be done that day; yet the very day after the duke's execution the king changed his method, and never talked more to him of any

\* Catherine Sedley was more distinguished for her wit and taste than for her beauty. Charles the Second once declared he thought his brother's mistresses were given to him by his confessor as penance. She was the daughter of Sir Charles Sedley, noticed in a previous page. The priests at length prevailed, and she was ordered to retire into France, or her pension of 4,000*l.* would cease.—(Bersby's Memoirs.) Her daughter by the king married the earl of Anglesea, and the duke of Buckingham. In the reign of William, the countess of Dorchester having returned to England, married the earl of Portmore. She continued to correspond with the exiled king; and her letters being intercepted, she was in danger of an impeach-

ment. She died in 1717.—(Singer's Clarendon Correspondence; Dalrymple's Memoirs; Grainger.) She had more wit than discretion. Meeting the duchess of Portsmouth and lady Orkney in the palace of George the First, she exclaimed, "Who would have thought we three w——s should meet here?" Speaking of some others of James the Second's favourites, she said, "Why does he choose us? we are none of us handsome; and if we have wit, he has not enough to find it out." To her two sons by the earl of Portmore, she observed, "If any body should call you sons of a w——e, you must bear it, for you are so; but if they call you bastards, fight till you die, for you are an honest man's sons."—Noble's History.

business, but what concerned the treasury : so that he saw he had now no more the root he formerly had. He was looked on as so much united to the clergy, that the papists were all set against him. He had, in a want of money, procured a considerable loan, by which he was kept in his post longer than was intended. At last, as he related the matter to me, the king spoke to him, and desired he would suffer himself to be instructed in religion. He answered, he was fully satisfied about his religion : but upon the king's pressing it, that he would hear his priests, he said, he desired then to have some of the English clergy present, to which the king consented ; only he excepted to Tillotson and Stillingfleet. Lord Rochester said, he would take those who should happen to be in waiting ; for the forms of the chapel were still kept up. And doctor Patrick and Jane were the men. Upon this a day was set for the conference.

But his enemies had another story. He had notice given him, that he would shortly lose the white staff : upon which his lady, who was then sick, wrote to the queen, and begged she would honour her so far as to come, and let her have some discourse with her. The queen came, and stayed above two hours with her. She complained of the ill offices that were done them. The queen said, all the protestants were now turning against them, so that they knew not how they could trust any of them. Upon which that lady said, her lord was not so wedded to any opinion, as not to be ready to be better instructed. And it was said, that this gave the rise to the king's proposing a conference ; for it has been observed to be a common method of making proselytes with the more pomp, to propose a conference : but this was generally done, after they were well assured, that, let the conference go which way it might, the person's decision for whom it was appointed should be on their side. The earl denied he knew any thing of all this to me : and his lady died not long after. It was further said by his enemies, that the day before the conference he had an advertisement from a sure hand, that nothing he could do would maintain him in his post, and that the king had engaged himself to put the treasury in commission, and to bring some of the popish lords into it. Patrick told me, that at the conference there was no occasion for them to say much.

The priests began the attack ; and, when they had done, the earl said, if they had nothing stronger to urge, he would not trouble those learned gentlemen to say any thing ; for he was sure he could answer all that he had heard. And so answered it all with much heat and spirit, not without some scorn, saying, were these grounds to persuade men to change their religion ? This he urged over and over again with great vehemence. The king, seeing in what temper he was, broke off the conference, charging all that were present to say nothing of it \*.

Soon after that he lost his white staff, but had a pension of 4,000*l.* a year for his own life and his son's, besides his grant upon the lord Grey, and another valued at 20,000*l.* So here were great regards had to him : no place having ever been sold, even by a person in favour, to such advantage. The sum that he had procured to be lent the king being 400,000*l.*, and it being all ordered to go towards the repair of the fleet, this began to be much talked of. The stores were very ill furnished ; and the vessels themselves were in decay. But now orders were given, with great dispatch to put the whole fleet in condition to go to sea, though the king was then in full peace with all his neighbours. Such preparations seemed to be made upon some great design.

The priests said every where, but chiefly at Rome, that the design was against the States ; and that both France and England would make war on them all of the sudden ; for it was generally known that the Dutch fleet was in no good condition. The interests of France, and of the priests, made this to be the more easily believed. The embroiling the king with the prince of Orange was that which the French desired above all other things, hoping that such a war, being successful, might put the king on excluding the prince from the succession to the crown in the right of his wife, which was the thing that both the French, and priests, desired most ; for they saw that, unless the queen had a son, all their designs must stand still at present, and turn abortive in conclusion, as long as the nation had such a successor in view.

\* The "Memoirs of king James" say that this conference was an artifice of lord Sunderland's to get Rochester discharged. This and the particulars of other conferences upon the same subject, are in Singer's *Clarendon Correspondence*.



This carries me now to open the state of affairs in Holland, and at the prince of Orange's court. I must first say somewhat of myself: for this summer, after I had rambled above a year, I came into Holland. I stayed three, or four, months in Geneva, and Switzerland, after I came out of Italy. I stayed also some time among the Lutherans at Strasburg and Franckfort, and among the Calvinists at Heidleberg. Besides the further opportunities I had to know their way in Holland, I made it my business to observe all their methods, and to know all the eminent men among them. I saw the churches of France in their best state, while they were every day looking when this dreadful storm should break out, which has scattered them up and down the world. I was all the winter at Geneva, where we had constantly fresh stories brought us of the miseries of those who were suffering in France. Refugees were coming over every day, poor and naked, and half starved before they got thither. And that small state was under great apprehensions of being swallowed up, having no strength of their own, and being justly afraid that those at Bern would grow weary of defending them, if they should be vigorously attacked. The rest of Switzerland was not in such imminent danger: but, as they were full of refugees, and all sermons and discourses were much upon the persecution in France, so Basil was exposed in such manner, that the French could possess themselves of it when they pleased, without the least resistance. Those of Strasburg, as they have already lost their liberty, so they were every day looking for some fatal edict, like that which the French had fallen under. The churches of the Palatinate, as they are now the frontier of the empire, exposed to be destroyed by every new war, so they are fallen into the hands of a bigoted family. All the other churches on the Rhine see how near they are to ruin. And as the United Provinces were a few years before this very near being swallowed up, so they were now well assured that two great kings designed to ruin them.

Under so cloudy a prospect it should be expected, that a spirit of true devotion and of a real reformation should appear more, both among the clergy and laity; that they should all apprehend that God was highly offended with them, and was therefore punishing some, and threatening others, in a most unusual manner. It might have been expected, that those unhappy contests between Lutherans and Calvinists, Arminians, and anti-Arminians, with some minuter disputes that have enflamed Geneva and Switzerland, should have been at least suspended, while they had a common enemy to deal with, against whom their whole force united was scarce able to stand. But these things were carried on rather with more eagerness, and sharpness, than ever. It is true, there has appeared much of a primitive charity towards the French refugees; they have been in all places well received, kindly treated, and bountifully supplied. Yet even among them there did not appear a spirit of piety and devotion suitable to their condition: though persons who have willingly suffered the loss of all things, and have forsaken their country, their houses, estates, and their friends, and some of them their nearest relations, rather than sin against their consciences, must be believed to have a deeper principle in them, than can well be observed by others.

I was indeed amazed at the labours and learning of the ministers among the reformed. They understood the scriptures well in the original tongues: they had all the points of controversy very ready, and did thoroughly understand the whole body of divinity. In many places they preached every day, and were almost constantly employed in visiting their flock. But they performed their devotions but slightly, and read their prayers, which were too long, with great precipitation and little zeal. Their sermons were too long and too dry: and they were so strict, even to jealousy, in the smallest points in which they put orthodoxy, that one who could not go into all their notions, but was resolved not to quarrel with them, could not converse much with them with any freedom. I have, upon all the observation that I have made, often considered the inward state of the reformation, and the decay of the vitals of Christianity in it, as that which gives more melancholy impressions than all the outward dangers that surround it.

In England things were much changed, with relation to the court, in the compass of a year. The terror all people were under from an ill chosen, and an ill constituted, parliament, was now almost over; and the clergy were come to their wits, and were beginning to recover their reputation. The nation was like to prove much firmer than could have been expected, especially in so short a time. Yet after all, though many were like to prove themselves

better protestants than was looked for, they were not become much better Christians; and few were turning to a stricter course of life: nor were the clergy more diligent in their labours among their people, in which respect it must be confessed that the English clergy are the most remiss of any. The curates in popery, besides their saying mass every day, their exactness to their breviary, their attending on confessions and the multiplicity of offices to which they are obliged, do so labour in instructing the youth, and visiting the sick, that, in all the places in which I could observe them, it seemed to be the constant employment of their lives: and in the foreign churches, though the labours of the ministers may seem mean, yet they are perpetually in them. All these things lay so much on my thoughts, that I was resolved to retire into some private place, and to spend the rest of my life in a course of stricter piety and devotion, and in writing such books, as the state of matters with relation to religion should call for, whether in points of speculation or practice. All my friends advised my coming near England, that I might be easier sent to, and informed of all our affairs, and might accordingly employ my thoughts and time. So I came down the Rhine this summer, and was resolved to have settled in Groning or Friesland.

When I came to Utrecht, I found letters written to me by some of the prince of Orange's court, desiring me to come first to the Hague, and wait on the prince and princess, before I should settle any where. Upon my coming to the Hague, I was admitted to wait on them. I found they had received such characters of me from England, that they resolved to treat me with great confidence; for, at my first being with them, they entered into much free discourse with me concerning the affairs of England. The prince, though naturally cold and reserved, yet laid aside a great deal of that with me. He seemed highly dissatisfied with the king's conduct. He apprehended that he would give such jealousies of himself, and come under such jealousies from his people, that these would throw him into a French management, and engage him into such desperate designs as would force violent remedies. There was a gravity in his whole deportment that struck me. He seemed very regardless of himself, and not apt to suspect designs upon his person. But I had learned somewhat of the design of a brutal Savoyard, who was capable of the blackest things, and who for a foul murder had fled into the territory of Geneva, where he lay hid in a very worthy family, to whom he had done some services before. He had formed a scheme of seizing on the prince, who used to go in his chariot often on the sands near Scheveling, with but one person with him, and a page or two on the chariot. So he offered to go in a small vessel of twenty guns, that should lie at some distance at sea, and to land in a boat with seven persons besides himself, and to seize on the prince, and bring him aboard, and so to France. This he wrote to M. de Louvoy, who upon that wrote to him to come to Paris, and ordered money for his journey. He, being a talking man, spoke of this, and shewed M. de Louvoy's letter, and the copy of his own: and he went presently to Paris. This was brought me by Mr. Fatio, the celebrated mathematician, in whose father's house that person had lodged. When I told the prince this, and had Mr. Fatio at the Hague to attest it, he was not much moved at it. The princess was more apprehensive; and by her direction I acquainted Mr. Fagel, and some others of the States, with it, who were convinced that the thing was practicable. And so the States desired the prince to suffer himself to be constantly attended on by a guard when he went abroad, with which he was not without some difficulty brought to comply. I fancied his belief of predestination made him more adventurous than was necessary. But he said as to that, he firmly believed a providence; for if he should let that go, all his religion would be much shaken; and he did not see how providence could be certain, if all things did not arise out of the absolute will of God. I found those who had the charge of his education, had taken more care to possess him with the Calvinistical notions of absolute decrees, than to guard him against the ill effects of those opinions in practice: for in Holland the main thing the ministers infuse into their people, is an abhorrence of the Arminian doctrine, which spreads so much there, that their jealousies of it make them look after that, more than after the most important matters.

The prince had been much neglected in his education; for all his life long he hated constraint. He spoke little. He put on some appearance of application; but he hated business of all sorts; yet he hated talking, and all house games more. This put him on a perpetual

course of hunting, to which he seemed to give himself up, beyond any man I ever knew : but I looked on that always as a flying from company and business. The depression of France was the governing passion of his whole life. He had no vice, but of one sort, in which he was very cautious and secret. He had a way that was affable and obliging to the Dutch ; but he could not bring himself to comply enough with the temper of the English, his coldness and slowness being very contrary to the genius of the nation.

The princess possessed all that conversed with her with admiration. Her person was majestic and created respect. She had great knowledge, with a true understanding, and a noble expression. There was a sweetness in her deportment that charmed, and an exactness in piety and virtue that made her a pattern to all that saw her. The king gave her no appointments to support the dignity of a king's daughter ; nor did he send her any presents, or jewels, which was thought a very indecent, and certainly was a very ill-advised thing. For the settling an allowance for her and the prince would have given such a jealousy of them, that the English would have apprehended a secret correspondence and confidence between them ; and the not doing it shewed the contrary very evidently. But, though the prince did not increase her court and state upon this additional dignity, she managed her privy purse so well, that she became eminent in her charities : and the good grace with which she bestowed favours did always increase their value. She had read much, both in history and divinity. And when a course of humours in her eyes forced her from that, she set herself to work with such a constant diligence, that she made the ladies about her ashamed to be idle. She knew little of our affairs till I was admitted to wait on her. And I began to lay before her the state of our court, and the intrigues in it, ever since the restoration ; which she received with great satisfaction, and shewed true judgment, and a good mind, in all the reflections that she made. I will only mention one in this place : she asked me, what had sharpened the king so much against Mr. Jurieu, the most copious, and the most zealous writer of the age, who wrote with great vivacity as well as learning. I told her, he mixed all his books with a most virulent acrimony of style, and among other things he had written with great indecency of Mary Queen of Scots, which cast reflections on them that were descended from her ; and was not very decent in one, that desired to be considered as zealous for the prince and herself. She said, Jurieu was to support the cause that he defended, and to expose those that persecuted it, in the best way he could. And, if what he said of Mary Queen of Scots was true, he was not to be blamed, who made that use of it : and, she added, that if princes would do ill things, they must expect that the world will take revenges on their memory, since they cannot reach their persons : that was but a small suffering, far short of what others suffered at their hands. So far I have given the character of those persons, as it appeared to me upon my first admittance to them. I shall have occasion to say much more of them in the sequel of this work.

I found the prince was resolved to make use of me. He told me it would not be convenient for me to live any where but at the Hague ; for none of the outlawed persons came thither. So I would keep myself, by staying there, out of the danger that I might legally incur by conversing with them, which would be unavoidable if I lived any where else. He also recommended me both to Fagel, Dykvelt, and Halewyn's confidence, with whom he chiefly consulted. I had a mind to see a little into the prince's notions, before I should engage myself deeper into his service. I was afraid lest his struggle with the Louvestein party, as they were called, might have given him a jealousy of liberty and of a free government. He assured me, it was quite the contrary : nothing but such a constitution could resist a powerful aggressor long, or have the credit that was necessary to raise such sums, as a great war might require. He condemned all the late proceedings in England, with relation to the charters, and expressed his sense of a legal and limited authority very fully. I told him, I was such a friend to liberty, that I could not be satisfied with the point of religion alone, unless it was accompanied with the securities of law. I asked his senses of the church of England. He said, he liked our worship well, and our government in the church, as much better than parity ; but he blamed our condemning the foreign churches, as he had observed some of our divines did. I told him, whatever some hotter men might say, all were not of that mind. When he found I was in my opinion for tolera-



tion, he said, that was all he would ever desire to bring us to, for quieting our contentions at home. He also promised to me, that he should never be prevailed with to set up the Calvinistical notions of the decrees of God, to which I did imagine some might drive him. He wished some of our ceremonies, such as the surplice and the cross in baptism, with our bowing to the altar, might be laid aside. I thought it necessary to enter with him into all these particulars, that so I might be furnished from his own mouth, to give a full account of his sense to some in England, who would expect it of me, and were disposed to believe what I should assure them of. This discourse was of some hours' continuance: and it passed in the princess's presence. Great notice came to be taken of the free access and long conferences I had with them both. I told him, it was necessary for his service, to put the fleet of Holland in a good condition. And this he proposed soon after to the States, who gave the hundredth penny for a fund to perfect that. I moved to them both, the writing to the bishop of London, and to the king concerning him. And, though the princess feared it might irritate the king too much, in conclusion I persuaded them to it.

The king, hearing of this admission I had, began in two or three letters to reflect on me, as a dangerous man, whom they ought to avoid and beware of. To this no answer was made. Upon the setting up the ecclesiastical commission, some from England pressed them to write over against it, and to begin a breach upon that. I told them, I thought that was no way advisable: they could not be supposed to understand our laws so well, as to oppose those things on their own knowledge; so that I thought this could not be expected by them, till some resolute person would dispute the authority of the court, and bring it to an argument, and so to a solemn decision. I likewise said, that I did not think every error in government would warrant a breach: if the foundations were struck at, that would vary the case; but illegal acts in particular instances could not justify such a conclusion. The prince seemed surprised at this; for the king made me pass for a rebel in my heart: and he now saw how far I was from it. I continued on this ground to the last.

That which fixed me in their confidence was, the liberty I took, in a private conversation with the princess, to ask her, what she intended the prince should be, if she came to the crown. She, who was new to all matters of that kind, did not understand my meaning, but fancied that whatever accrued to her would likewise accrue to him in the right of marriage. I told her it was not so: and I explained king Henry the Seventh's title to her, and what had passed when Queen Mary married Philip king of Spain. I told her, a titular kingship was no acceptable thing to a man, especially if it was to depend on another's life: and such a nominal dignity might endanger the real one that the prince had in Holland. She desired me to propose a remedy. I told her the remedy, if she could bring her mind to it, was to be contented to be his wife, and to engage herself to them, that she would give him the real authority as soon as it came into her hands, and endeavour effectually to get it to be legally vested in him during life: this would lay the greatest obligation on him possible, and lay the foundation of a perfect union between them, which had been of late a little embroiled: this would also give him another sense of all our affairs: I asked pardon for the presumption of moving her in such a tender point: but I solemnly protested, that no person living had moved me in it, or so much as knew of it, or should ever know of it, but as she should order it. I hoped she would consider well of it; for, if she once declared her mind, I hoped she would never go back or retract it. I desired her therefore to take time to think of it. She presently answered me, she would take no time to consider of any thing, by which she could express her regard and affection to the prince; and ordered me to give him an account of all that I had laid before her, and to bring him to her, and I should hear what she would say upon it. He was that day a hunting; and next day I acquainted him with all that had passed, and carried him to her; where she in a very frank manner told him, that she did not know that the laws of England were so contrary to the laws of God, as I had informed her: she did not think that the husband was ever to be obedient to the wife: she promised him he should always bear rule; and she asked only, that he would obey the command of "husbands love your wives," as she should do that, "wives be obedient to your husbands in all things." From this lively introduction we engaged into a long discourse of the affairs of England. Both seemed well pleased with me, and with all that

I had suggested. But such was the prince's cold way, that he said not one word to me upon it, that looked like acknowledgment. Yet he spoke of it to some about him in another strain. He said, he had been nine years married, and had never the confidence to press this matter on the queen, which I had now brought about easily in a day. Ever after that he seemed to trust me entirely.

Complaints came daily over from England of all the high things that the priests were every where throwing out. Penn, the quaker, came over to Holland. He was a talking vain man, who had been long in the king's favour, he being the vice-admiral's son. He had such an opinion of his own faculty of persuading, that he thought none could stand before it: though he was singular in that opinion; for he had a tedious luscious way, that was not apt to overcome a man's reason, though it might tire his patience. He undertook to persuade the prince to come into the king's measures, and had two or three long audiences of him upon the subject: and he and I spent some hours together on it. The prince readily consented to a toleration of popery, as well as of the dissenters, provided it were proposed and passed in parliament: and he promised his assistance, if there was need of it, to get it to pass. But for the tests, he would enter into no treaty about them. He said, it was a plain betraying the security of the protestant religion to give them up. Nothing was left unsaid that might move him to agree to this in the way of interest: the king would enter into an entire confidence with him, and would put his best friends in the chief trusts. Penn undertook for this so positively, that he seemed to believe it himself, or he was a great proficient in the art of dissimulation. Many suspected that he was a concealed papist. It is certain, he was much with father Peter, and was particularly trusted by the earl of Sunderland. So, though he did not pretend any commission for what he promised, yet we looked on him as a man employed. To all this the prince answered, that no man was more for toleration in principle than he was: he thought the conscience was only subject to God: and as far as a general toleration, even of papists, would content the king, he would concur in it heartily: but he looked on the tests as such a real security, and indeed the only one, when the king was of another religion, that he would join in no counsels with those that intended to repeal those laws that enacted them. Penn said the king would have all or nothing: but that, if this was once done, the king would secure the toleration by a solemn and unalterable law. To this the late repeal of the edict of Nantes, that was declared perpetual and irrevocable, furnished an answer that admitted of no reply. So Penn's negotiation with the prince had no effect.

He pressed me to go over to England, since I was in principle for toleration: and he assured me the king would prefer me highly. I told him, since the tests must go with this toleration, I could never be for it. Among other discourses, he told me one thing, that was not accomplished in the way in which he had a mind I should believe it would be, but had a more surprising accomplishment. He told me a long series of predictions, which, as he said, he had from a man that pretended a commerce with angels, who had foretold many things that were passed very punctually. But he added, that, in the year 1688, there would such a change happen in the face of affairs as would amaze all the world. And after the Revolution, which happened that year, I asked him before much company, if that was the event that was predicted. He was uneasy at the question; but did not deny what he had told me, which, he said, he understood of the full settlement of the nation upon a toleration, by which he believed all men's minds would be perfectly quieted and united\*.

\* William Penn, the son of the admiral of the same name, noticed in previous pages, was born in London, during 1644. His early education was at Chigwell school, in Essex; and in 1660 he was a gentleman commoner of Christchurch, Oxford. Attracted by the preaching of a quaker named Low, he frequented their meetings, and was consequently expelled from college. His father acted in the same spirit of severity, but at length sent him to France, where he acquired the accomplishments usual at the period. Upon his return he studied the law at Lincoln's Inn, but the plague forced him thence in 1665. Proceeding to some of his father's estates in Ireland, he again met with

Low, and finally became a member of the quaker fraternity, from which neither paternal nor magisterial severity could separate him. In 1668, becoming an itinerant preacher, he was sent to the Tower, where during seven months' confinement, he wrote his "No Cross, no Crown," and "Innocency with her open face," which obtained his release. When his father died he came into possession of 1,500*l.* a year, but this did not prevent his preaching, for which he was committed to Newgate. His trial came on at the Old Bailey. He pleaded his own cause, and was acquitted.—(See State Trials.) After travelling for some time in Holland and Germany, he returned to this

Now I go from this to prosecute the recital of English affairs. Two eminent bishops died this year, Pearson, bishop of Chester, and Fell, bishop of Oxford. The first of these was in all respects the greatest divine of the age: a man of great learning, strong reason, and of a clear judgment. He was a judicious and grave preacher, more instructive than affective; and a man of a spotless life, and of an excellent temper. His book on the Creed is among the best that our church has produced. He was not active in his diocese, but too remiss and easy in his episcopal function; and was a much better divine than a bishop. He was a speaking instance of what a great man could fall too: for his memory went from him so entirely, that he became a child some years before he died.

Fell, bishop of Oxford, was a man of great strictness in the course of his life, and of much devotion. His learning appears in that noble edition of St. Cyprian that he published. He had made great beginnings in learning before the Restoration; but his continued application to his employments after that, stopped the progress that otherwise he might have made. He was made soon after dean of Christchurch, and afterwards bishop of Oxford. He set himself to promote learning in the university, but most particularly in his own college, which he governed with great care: and was indeed in all respects a most exemplary man, a little too much heated in the matter of our disputes with the dissenters. But, as he was among the first of our clergy that apprehended the design of bringing in popery, so he was one of the most zealous against it. He had much zeal for reforming abuses; and managed it perhaps with too much heat, and in too peremptory a way. But we have so little of that among us, that no wonder if such men are censured by those who love not such patterns, nor such severe task-masters\*.

Ward, of Salisbury, fell also under a loss of memory and understanding: so that he who was both in mathematics and philosophy, and in the strength of judgment and understanding, one of the first men of his time, though he came too late into our profession to become very eminent in it, was now a great instance of the despicable weakness to which man can fall. The court intended once to have named a coadjutor for him. But there being no precedent for that since the Reformation, they resolved to stay till he should die.

The other two bishoprics were less considerable: so they resolved to fill them with the two worst men that could be found out. Cartwright was promoted to Chester. He was a man of good capacity, and had made some progress in learning. He was ambitious and servile, cruel and boisterous, and, by the great liberties he allowed himself, he fell under much scandal of the worst sort. He had set himself long to raise the king's authority above law; which, he said, was only a method of government to which kings might submit as they pleased; but their authority was from God, absolute and superior to law, which they might

country. In 1672 he married and settled at Rickmansworth. In 1681, king Charles, in return for his father's services, and in consideration of a debt due to him from the crown, granted Penn a province of North America. He then devoted himself to establishing a colony there, and to prepare for it a constitution. His liberal and enlightened conduct secured the success of this new country, now so well known as Pennsylvania.—(See "Frame of Government of Pennsylvania.") Penn was much courted and favoured by James the Second, but the "Clarendon Correspondence" informs us that he laboured to thwart the jesuitical influence that predominated in that reign. Notwithstanding, William the Third and others suspected him of favouring the Romish creed; and though he fully refuted this suspicion, (see his correspondence with archbishop Tillotson) yet the king assured a friend of the earl of Dartmouth, that "Penn is no more a quaker than I am."—(Oxford edition of this work.) Queen Anne favoured him, and he constantly attended her court, which certainly does not accord with the practice of his sect. A law-suit involved him in more trouble; but whilst retired within the rules of the Fleet prison, he found opportunity to write his "Fruits of Solitude," and "Fruits of a Father's Love." Finally, overcoming his

difficulties, he retired to his elegant residence at Ruscomb, near Twyford, in Buckinghamshire and died there in 1718. Burnet speaks of him too unfavourably; he was unquestionably a man of sound sense and wit; benevolent and just. Dean Swift says, "he spoke very agreeably, and with much spirit."—See Clarkson's Life of Penn, and his numerous works in Wood's *Athenæ Oxon.*

\* Dr. John Pearson was a native of Norfolk, being born at Snoring in 1612. He was at Eton, and King's college, Cambridge. His "Exposition of the Creed" consists of a course of sermons, preached at St. Clement's, Eastcheap. It needs no more commendation than is given by Burnet. In 1662 he was one of the commissioners for reviewing the liturgy. He was successively master of Jesus and Trinity colleges, Cambridge. He was promoted to the see of Chester in 1673.—*Biog. Britannica.*

Dr. John Fell was born in 1625, at Longworth, in Berkshire. He was educated at Thame, and Christchurch, Oxford. After various vicissitudes he was raised to the bishopric of this city in 1676. His biographies of Dr. Hammond and Dr. Allstree have had many readers. His other works are numerous and excellent.—Wood's *Athenæ Oxon.*; *Biog. Britannica.*



exert, as oft as they found it necessary for the ends of government. So he was looked on as a man that would more effectually advance the design of popery, than if he should turn over to it. And indeed, bad as he was, he never made that step, even in the most desperate state of his affairs.

The see of Oxford was given to Dr. Parker, who was a violent independent at the time of the Restoration, with a high profession of piety in their way. But he soon changed, and struck into the highest form of the church of England; and wrote many books with a strain of contempt and fury against all the dissenters, that provoked them out of measure; of which an account was given in the history of the former reign. He had exalted the king's authority in matters of religion in so indecent a manner, that he condemned the ordinary form of saying the king was under God and Christ, as a crude and profane expression: saying, that though the king was indeed under God, yet he was not under Christ, but above him. Yet, not being preferred as he expected, he wrote after that many books, on design to raise the authority of the church to an independence on the civil power. There was an entertaining liveliness in all his books: but it was neither grave nor correct. He was a covetous and ambitious man; and seemed to have no other sense of religion but as a political interest, and a subject of party and faction. He seldom came to prayers, or to any exercises of devotion; and was so lifted up with pride, that he was become insufferable to all that came near him. These two men were pitched on as the fittest instruments that could be found among all the clergy to betray and ruin the church. Some of the bishops brought to archbishop Sancroft articles against them, which they desired he would offer to the king in council, and pray that the mandate for consecrating them might be delayed, till time were given to examine particulars. And bishop Lloyd told me, that Sancroft promised to him not to consecrate them, till he had examined the truth of the articles, of which some were too scandalous to be repeated. Yet when Sancroft saw what danger he might incur, if he were sued in a premunire, he consented to consecrate them.

The deanery of Christchurch, the most important post in the university, was given to Massey, one of the new converts, though he had neither the gravity, the learning, nor the age that was suitable to such a dignity. But all was supplied by his early conversion: and it was set up for a maxim to encourage all converts. He at first went to prayers in the chapel. But soon after he declared himself more openly\*. Not long after this the president of Magdalen college died. That is esteemed the richest foundation in England, perhaps in Europe: for, though the certain rents are but about four or five thousand pounds, yet it is thought that the improved value of the estate belonging to it is about forty thousand pounds. So it was no wonder that the priests studied to get this endowment into their hands.

They had endeavoured to break in upon the university of Cambridge in a matter of less importance, but without success; and now they resolved to attack Oxford, by a strange fatality in their counsels. In all nations the privileges of colleges and universities are esteemed such sacred things, that few will venture to dispute these, much less to disturb them, when their title is good, and their possession is of a long continuance; for in these not only the present body espouses the matter, but all who have been of it, even those that have only followed their studies in it, think themselves bound in honour and gratitude to assist and support them. The priests began where they ought to have ended, when all other things were brought about to their mind. The Jesuits fancied that, if they could get footing in the university, they would gain such a reputation by their methods of teaching youth, that they would carry them away from the university tutors, who were certainly too remiss. Some of the more moderate among them proposed, that the king should endow a new college in both universities, which needed not have cost above two thousand pounds a-year, and in these set his priests to work. But either the king stuck at the charge which this would put him to, or his priests thought it too mean, and below his dignity, not to lay his hand

\* Dr. Douglas justly observes that Burnet's account of this transaction leads the reader to understand that Massey, at the time of his appointment to the deanery, had not openly deserted protestantism; but we now know to the contrary. Massey produced and pleaded his dis-

penation on the 29th of December, 1686—a dispensation that was a decided and unmitigated inroad upon our constitution.—Dalrymple's Memoirs; Sancroft MSS. in the Bodleian Library.

upon these great bodies : so rougher methods were resolved on. It was reckoned, that by frightening them they might be driven to compound the matter, and deliver up one or two colleges to them ; and then, as the king said sometimes in the circle, they who taught best would be most followed.

They began with Cambridge upon a softer point, which yet would have made way for all the rest. The king sent his letter, or mandamus, to order F. Francis, an ignorant benedictine monk, to be received a master of arts ; once to open the way for letting them into the degrees of the university. The truth is, the king's letters were scarce ever refused in conferring degrees ; and when ambassadors, or foreign princes, came to those places, they usually gave such degrees to those who belonged to them as were desired. The Morocco ambassador's secretary, who was a mahometan, had that degree given him ; but a great distinction was made between honorary degrees given to strangers, who intended not to live among them, and those given to such as intended to settle among them ; for every master of arts having a vote in the convocation, they reckoned that if they gave this degree, they must give all that should be pretended to on the like authority : and they knew all the king's priests would be let in upon them, which might occasion in present great distraction and contentions among them ; and in time they might grow to be a majority in the convocation, which is their parliament. They refused the mandamus with great unanimity, and with a firmness that the court had not expected from them. New and repeated orders, full of severe threatenings in case of disobedience, were sent to them : and this piece of raillery was everywhere set up, that a papist was reckoned worse than a mahometan, and that the king's letters were less considered than the ambassador from Morocco had been. Some feeble or false men of the university tried to compound the matter by granting this degree to F. Francis, but enacting at the same time, that it should not be a precedent for any other of the like nature. This was not given way to : for it was said, that in all such cases the obedience that was once paid would be a much stronger argument for continuing to do it, as oft as it should be desired, than any such proviso could be against it.

Upon this the vice-chancellor was summoned before the ecclesiastical commission to answer this contempt. He was a very honest but a very weak man. He made a poor defence. And it was no small reflection on that great body, that their chief magistrate was so little able to assert their privileges, or to justify their proceedings. He was treated with great contempt by Jeffreys\*. But he having acted only as the chief person of that body, all that was thought fit to be done against him was to turn him out of his office. That was but an annual office, and of no profit : so this was a slight censure, chiefly when it was all that followed on such heavy threatenings. The university chose another vice-chancellor (Dr. Balderson), who was a man of much spirit ; and in his speech, which in course he made upon his being chosen, he promised that, during his magistracy, neither religion, nor the rights of the body, should suffer by his means. The court did not think fit to insist more upon this matter : which was too plain a confession, either of their weakness in beginning such an ill-grounded attempt, or of their feebleness in letting it fall, doing so little, after they had talked so much about it. And now all people began to see that they had taken wrong notions of the king, when they thought that it would be easy to engage him into bold things, before he could see into the ill consequences that might attend them, but that being once engaged he would resolve to go through with them at all adventures. When I knew him, he seemed to have set up that for a maxim, that a king when he made a step was never to go back, nor to encourage faction, and disobedience, by yielding to it.

After this unsuccessful attempt upon Cambridge, another was made upon Oxford, that lasted longer, and had greater effects, which I shall set all down together, though the conclusion of this affair ran far into the year after this that I now write of. The presidentship of Magdalen's was given by the election of the fellows. So the king sent a mandamus, requiring them to choose one Farmer, an ignorant and vicious person, who had not one qualification that could recommend him to so high a post, besides that of changing his religion.

\* This was Dr. Peachell. The coarse manner in which he was treated by Jeffreys is fully related in Woolrych's Life of this judge.

Mandamus letters had no legal authority in them; but all the great preferments of the church being in the king's disposal, those who did pretend to favour were not apt to refuse his recommendation, lest that should be afterwards remembered to their prejudice. But now, since it was visible in what channel favour was likely to run, less regard was had to such a letter. The fellows of that house did upon this choose Dr. Hough, one of their body, who, as he was in all respects a statutable man, so he was a worthy and a firm man, not apt to be threatened out of his right. They carried their election according to their statutes to the bishop of Winchester (Dr. Mews), their visitor, and he confirmed it. So that matter was legally settled. This was highly resented at court. It was said, that, in case of a mandamus for an undeserving man, they ought to have represented the matter to the king, and staid till they had his pleasure: it was one of the chief services that the universities expected from their chancellors, which made them always choose men of great credit at court, that by their interest such letters might be either prevented or recalled. The duke of Ormond was now their chancellor; but he had little credit in the court, and was declining in his age, which made him retire into the country. It was much observed that this university, that had asserted the king's prerogative in the highest strains of the most abject flattery possible, both in their addresses and in a wild decree they had made but three years before this, in which they had laid together a set of such high-flown maxims as must establish an uncontrollable tyranny, should be the first body of the nation that should feel the effects of it most sensibly. The cause was brought before the ecclesiastical commission. The fellows were first asked why they had not chosen Farmer in obedience to the king's letter? And to that they answered by offering a list of many just exceptions against him. The subject was fruitful, and the scandals he had given were very public. The court was ashamed of him, and insisted no more on him; but they said, that the house ought to have showed more respect to the king's letter, than to have proceeded to an election in contempt of it.

The ecclesiastical commission took upon them to declare Hough's election null, and to put the house under suspension. And, that the design of the court in this matter might be carried on without the load of recommending a papist, Parker, bishop of Oxford, was now recommended; and the fellows were commanded to proceed to a new election in his favour. They excused themselves, since they were bound by their oaths to maintain their statutes: and by these, an election being once made and confirmed, they could not proceed to a new choice, till the former was annulled in some court of law: church benefices and college preferments were freeholds, and could only be judged in a court of record: and, since the king was now talking so much of liberty of conscience, it was said, that the forcing men to act against their oaths, seemed not to agree with those professions. In opposition to this it was said, that the statutes of colleges had been always considered as things that depended entirely on the king's good pleasure: so that no oaths to observe them could bind them, when it was in opposition to the king's command.

This did not satisfy the fellows: and though the king, as he went through Oxford in his progress in the year 1687, sent for them, and ordered them to go presently and choose Parker for their president, in a strain of language ill suited to the majesty of a crowned head, (for he treated them with foul language, pronounced in a very angry tone,) yet it had no effect on them. They insisted still on their oaths, though with a humility and submission that they hoped would have mollified him. They continued thus firm. A subaltern commission was sent from the ecclesiastical commission to finish the matter. Bishop Cartwright was the head of this commission, as sir Charles Hedges was the king's advocate to manage the matter. Cartwright acted in so rough a manner, that it showed he was resolved to sacrifice all things to the king's pleasure. It was an afflicting thing, which seemed to have a peculiar character of indignity in it, that this first act of violence committed against the legal possessions of the church, was executed by one bishop, and done in favour of another.

The new president was turned out. And, because he could not deliver the keys of his house, the doors were broken open: and Parker was put in possession. The fellows were required to make their submission, to ask pardon for what was passed, and to accept of the bishop for their president. They still pleaded their oath, and were all turned out, except two



that submitted. So that it was expected to see that house soon stocked with papists\*. The nation, as well as the university, looked on all this proceeding with a just indignation. It was thought an open piece of robbery and burglary, when men, authorised by no legal commission, came and forcibly turned men out of their possession and freehold. This agreed ill with the professions that the king was still making, that he would maintain the church of England as by law established: for this struck at the whole estate, and all the temporalities of the church. It did so inflame the church party and the clergy, that they sent over very pressing messages upon it to the prince of Orange, desiring that he would interpose and espouse the concerns of the church; and that he would break upon it, if the king would not redress it. This I did not see in their letters. Those were of such importance, since the writing them might have been carried to high treason, that the prince did not think fit to show them. But he often said, he was pressed by many of those who were afterwards his bitterest enemies, to engage in their quarrel. When that was communicated to me I was still of opinion that, though this was indeed an act of despotical and arbitrary power, yet I did not think it struck at the whole: so that it was not in my opinion a lawful case of resistance; and I could not concur in a quarrel occasioned by such a single act, though the precedent set by it might go to everything.

Now the king broke with the church of England. And, as he was apt to go warmly upon every provocation, he gave himself such liberties in discourse upon that subject, that it was plain all the services they had done him, both in opposing the exclusion and upon his first accession to the crown, were forgotten. Agents were now found out, to go among the dissenters, to persuade them to accept of the favour the king intended them, and to concur with him in his designs.

The dissenters were divided into four main bodies. The presbyterians, the independents, the anabaptists, and the quakers. The two former had not the visible distinction of different rites: and their depressed condition made, that the dispute about the constitution, and subordination, of churches, which had broken them when power was in their hands, was now out of doors: and they were looked on as one body, and were above three parts in four of all the dissenters. The main difference between these was, that the presbyterians seemed reconcilable to the church; for they loved episcopal ordination and a liturgy, and upon some amendments seemed disposed to come into the church; and they liked the civil government and limited monarchy. But as the independents were for a commonwealth in the state, so they put all the power of the church in the people, and thought that their choice was an ordination: nor did they approve of set forms of worship. Both were enemies to this high prerogative that the king was assuming, and were very averse to popery. They generally were of a mind as to the accepting the king's favour; but were not inclined to take in the papists into a full toleration, much less could they be prevailed on to concur in taking off the tests. The anabaptists were generally men of virtue, and of an universal charity: and as they were far from being in any treating terms with the church of England, so nothing but an universal toleration could make them capable of favour or employments. The quakers had set up such a visible distinction in the matter of the hat, and saying *thou* and *thee*, that they had all as it were a badge fixed on them; so they were easily known. Among these Penn had the greatest credit, as he had a free access at court. To all these it was proposed that the king designed the settling the minds of the different parties in the nation, and the

\* Dr. John Hough was a native of Middlesex, and born in 1651. He was a demy of Magdalen college, Oxford. In 1681, he went as chaplain to the duke of Ormond into Ireland. He was prebendary of Worcester when elected president of his college in opposition to Anthony Farmer. Dr. Samuel Parker, who was made to supersede him, only lived a few months, and then a professed Roman catholic was appointed to the presidency, namely Bonaventure Gifford, a Sorbonne doctor and secular priest, bishop elect of Madaura. At the Revolution, Dr. Hough and the fellows of Magdalen were restored, and in 1690 he was enthroned bishop of Oxford, then of Lichfield, and finally of Worcester. He died in

1743.—(Wood's *Athenæ Oxon.*; Wilmot's *Life of Dr. Hough*). Pious, serene, meek, and patient, virtuous qualities that ensure firmness of character, his path to the grave was gently sloped and protracted. Extreme old age did not affect him with the petulance which is its usual accompaniment. A few weeks before his death, a young clergyman awkwardly threw down the bishop's favourite barometer. The offender was confounded with surprise and regret, but he was prevented apologizing, by the bishop approaching him with his usual complacency, saying, "Sir, do not be uneasy; I have observed this glass almost daily for upwards of seventy years, and never saw it so low before."—Noble's *Life of Grainger*.

enriching it by enacting a perpetual law, that should be passed with such solemnities as had accompanied the Magna Charta; so that not only penal laws should be for ever repealed, but that public employments should be opened to men of all persuasions, without any tests, or oaths, limiting them to one sort, or party, of men. There were many meetings among the leading men of the several sects.

It was visible to all men, that the courting them at this time was not from any kindness or good opinion that the king had of them. They had left the church of England, because of some forms in it that they thought looked too like the church of Rome. They needed not to be told, that all the favour expected from popery was once to bring it in under the colour of a general toleration, till it should be strong enough to set on a general persecution: and therefore, as they could not engage themselves to support such an arbitrary prerogative as was now made use of, so neither should they go into any engagements for popery. Yet they resolved to let the points of controversy alone, and leave those to the management of the clergy, who had a legal bottom to support them. They did believe that this indignation against the church party, and this kindness to them, were things too unnatural to last long. So the more considerable among them resolved not to stand at too great a distance from the court, nor to provoke the king so far, as to give him cause to think they were irreconcilable to him, lest they should provoke him to make up matters on any terms with the church party. On the other hand, they resolved not to provoke the church party, or by any ill behaviour of theirs drive them into a reconciliation with the court. It is true Penn shewed both a scorn of the clergy, and virulent spite against them, in which he had not many followers.

The king was so fond of his army that he ordered them to encamp on Hounslow Heath, and to be exercised all the summer long. This was done with great magnificence, and at a vast expense; but that which abated the king's joy in seeing so brave an army about him was, that it appeared visibly, and on many occasions, that his soldiers had as great an aversion to his religion as his other subjects had expressed. The king had a chapel in his camp, where mass was said; but so few went to it, and those few were treated by the rest with so much scorn, that it was not easy to bear it. It was very plain that such an army was not to be trusted in any quarrel, in which religion was concerned.

The few papists that were in the army were an unequal match for the rest. The heats about religion were likely to breed quarrels: and it was once very near a mutiny. It was thought that these encampments had a good effect on the army. They encouraged one another, and vowed they would stick together, and never forsake their religion. It was no small comfort to them to see they had so few papists among them; which might have been better disguised at a distance, than when they were all in view. A resolution was formed upon this at court, to make recruits in Ireland, and to fill them up with Irish papists; which succeeded as ill as all their other designs did, as shall be told in its proper place.

The king had for above a year managed his correspondence with Rome secretly. But now the priests resolved to drive the matter past reconciling. The correspondence with that court, while there was none at Rome with a public character, could not be decently managed, but by cardinal Howard's means. He was no friend to the Jesuits; nor did he like their over-driving matters. So they moved the king to send an ambassador to Rome. This was high treason by law. Jeffreys was very uneasy at it. But the king's power of pardoning had been much argued in the earl of Danby's case, and was believed to be one of the unquestionable rights of the crown. So he knew a safe way in committing crimes: which was, to take out pardons as soon as he had done illegal things.

The king's choice of Palmer, earl of Castlemain, was liable to great exception. For, as he was believed to be a Jesuit, so he was certainly as hot and eager in all high notions, as any of them could be. The Romans were amazed when they heard that he was to be the person. His misfortunes were so eminent and public, that they who take their measures much from astrology, and from the characters they think are fixed on men, thought it strange to see such a negotiation put in the hands of so unlucky a man. It was managed with great splendour, and at a vast charge\*.

\* For an account of this embassy, and its pageantry, see *Misson's "Voyage to Italy,"* ii. 256.

He was unhappy in every step of it. He disputed with a nice sort of affectation every punctilio of the ceremonial. And when the day, set for his audience, came, there happened to be such an extraordinary thunder, and such deluges of rain, as disgraced the show, and heightened the opinion of the ominousness of this embassy. After this was over, he had yet many disputes with relation to the ceremony of visits. The points he pressed were, first, the making P. Renaldi, of Este, the queen's uncle, a cardinal : in which he prevailed ; and it was the only point in which he succeeded. He tried if it was possible to get father Petre to be made a cardinal. But the pope was known to be intractable in that point, having fixed it as a maxim not to raise any of that order to the purple. Count Mansfield told me, as he came from Spain, that our court had pressed the court of Spain to join their interest with ours at Rome for his promotion. They gave it out that he was a German by birth, and undertook that he should serve the Austrian interest. They also promised the court of Madrid great assistance in other matters of the last importance, if they would procure this : adding, that this would prove the most effectual means for the conversion of England. Upon which, the count told me, he was asked concerning father Petre. He, who had gone often to Spain through England, happened to know that Jesuit, and told them he was no German, but an Englishman. They tried their strength at Rome for his promotion, but with no success.

The ambassador at Rome pressed cardinal Cibo much to put an end to the differences between the pope and the king of France, in the matter of the franchises, that it might appear that the pope had a due regard to a king that had extirpated heresy, and to another king who was endeavouring to bring other kingdoms into the sheepfold. What must the world say, if two such kings, like whom no ages had produced any, should be neglected, and ill used, at Rome for some punctilios ? He added, that, if these matters were settled, and if the pope would enter into concert with them, they would set about the destroying heresy every where, and would begin with the Dutch ; upon whom, he said, they would fall without any declaration of war, treating them as a company of rebels, and pirates, who had not a right, as free states and princes have, to a formal denunciation of war. Cibo, who was then cardinal patron, was amazed at this, and gave notice of it to the imperial cardinals. They sent it to the emperor, and he signified it to the prince of Orange. It is certain that one prince's treating with another, to invade a third, gives a right to that third prince to defend himself, and to prevent those designs. And, since what an ambassador says is understood as said by the prince whose character he bears, this gave the States a right to make use of all advantages that might offer themselves. But they had yet better grounds to justify their proceedings, as will appear in the sequel.

When the ambassador saw that his remonstrances to the cardinal patron were ineffectual, he demanded an audience of the pope ; and there he lamented that so little regard was had to two such great kings. He reflected on the pope, as shewing more zeal about temporal concerns than the spiritual ; which, he said, gave scandal to all Christendom. He concluded, that, since he saw intercessions made in his master's name were so little considered, he would make haste home : to which the pope made no other answer, but "*lei è padrone,*" he might do as he pleased. But he sent one after the ambassador, as he withdrew from the audience, to let him know how much he was offended with his discourses, that he received no such treatment from any person, and that the ambassador was to expect no other private audience. Cardinal Howard did what he could to soften matters. But the ambassador was so entirely in the hands of the Jesuits, that he had little regard to any thing that the cardinal suggested. And so he left Rome after a very expensive, but insignificant embassy.

The pope sent in return a nuncio, Dada, now a cardinal. He was highly civil in all his deportment ; but it did not appear that he was a man of great depth, nor had he power to do much. The pope was a jealous and fearful man, who had no knowledge of any sort, but in the matters of the revenue, and of money : for he was descended from a family that was become rich by dealing in banks. And, in that respect, it was a happiness to the papacy that he was advanced : for it was so involved in vast debts, by a succession of many wasteful pontificates, that his frugal management came in good time to set those matters in better order. It was known that he did not so much as understand Latin. I was told at Rome,



that when he was made cardinal, he had a master to teach him to pronounce that little Latin that he had occasion for at high masses. He understood nothing of divinity. I remembered what a Jesuit at Venice had said to me, whom I met sometimes at the French ambassador's there, when we were talking of the pope's infallibility: he said, that being in Rome during Altieri's pontificate, who lived some years in a perfect dotage, he confessed it required a very strong faith to believe him infallible: but he added pleasantly, the harder it was to believe it, the act of faith was the more meritorious. The submitting to pope Innocent's infallibility was a very implicit act of faith, when all appearances were so strongly against it. The pope hated the Jesuits, and expressed a great esteem for the Jansenists; not that he understood the ground of the difference, but because they were enemies to the Jesuits, and were ill-looked on by the court of France. He understood the business of the regale a little better, it relating to the temporalities of the church. And therefore he took all those under his protection who refused to submit to it. Things seemed to go far towards a breach between the two courts: especially after the articles which were set out by the assembly of the clergy of France in the year 1682, in favour of the councils of Constance and Basil, in opposition to the papal pretensions. The king of France, who was not accustomed to be treated in such a manner, sent many threatening messages to Rome, which alarmed the cardinals so much, that they tried to mollify the pope. But it was reported at Rome, that he made a noble answer to them, when they asked him what he would do, if so great a king should send an army to fall upon him? He said, he could suffer martyrdom.

He was so little terrified with all those threatenings, that he had set on foot a dispute about the franchises. In Rome all those of a nation put themselves under the protection of their ambassador, and are, upon occasions of ceremony, his cortege. These were usually lodged in his neighbourhood, pretending that they belonged to him. So that they exempted themselves from the orders and justice of Rome, as a part of the ambassador's family. And that extent of houses or streets in which they lodged was called the franchises: for in it they pretended they were not subject to the government of Rome. This had made these houses to be well filled, not only with those of that nation, but with such Romans as desired to be covered with that protection. Rome was now much sunk from what it had been: so that these franchises were become so great a part of the city, that the privileges of those that lived in them were giving every day new disturbances to the course of justice, and were the common sanctuaries of criminals. So the pope resolved to reduce the privileges of ambassadors to their own families, within their own palaces. He first dealt with the emperor's and the king of Spain's ambassadors, and brought them to quit their pretensions to the franchises; but with this provision, that, if the French did not the same, they would return to them. So now the pope was upon forcing the French to submit to the same methods. The pope said, his nuncio, or legate, at Paris, had no privilege but for his family, and for those that lived in his palace. The French rejected this with great scorn. They said, the pope was not to pretend to an equality with so great a king. He was the common father of Christendom: so those who came thither, as to the centre of unity, were not to be put on the level with the ambassadors that passed between sovereign princes. Upon this the king of France pretended that he would maintain all the privileges and franchises that his ambassadors were possessed of. This was now growing up to be the matter of a new quarrel, and of fresh disputes, between those courts.

The English ambassador being so entirely in the French interests, and in the confidence of the Jesuits, he was much less considered at Rome than he thought he ought to have been. The truth is, the Romans, as they have very little sense of religion, so they considered the reduction of England as a thing impracticable. They saw no prospect of any profits likely to arise in any of their offices by bulls, or compositions: and this was the notion that they had of the conversion of nations, chiefly as it brought wealth and advantages to them.

I will conclude all that I shall say in this place of the affairs of Rome with a lively saying of queen Christina to myself at Rome. She said, it was certain that the church was governed by the immediate care and providence of God: for none of the four popes that she had known, since she came to Rome, had common sense. She added, they were the first

and the last of men. She had given herself entirely for some years to the study of astrology : and upon that she told me the king would live yet many years, but added that he would have no son.

I come, from the relation of this embassy to Rome, to give an account of other negotiations. The king found Skelton managed his affairs in Holland with so little sense, and gave such an universal distaste, that he resolved to change him. But he had been so servilely addicted to all his interests, that he would not discourage him. And, because all his concerns with the court of France were managed with Barillon, the French ambassador at London, he was sent to Paris.

The king found out one White, an Irishman, who had been long a spy of the Spaniards. And when they did not pay his appointments well, he accepted of the title of marquis d'Albeville from them in part of payment. And then he turned to the French, who paid their tools more punctually. But though he had learned the little arts of corrupting under-secretaries, and had found out some secrets by that way, which made him pass for a good spy, yet, when he came to negotiate matters in a higher form, he proved a most contemptible and ridiculous man, who had not the common appearances either of decency or of truth.

He had orders, before he entered upon business with the prince or princess, to ask of them not only to forbid me the court, but to promise to see me no more. The king had written two violent letters against me to the princess. She trusted me so far, that she showed them to me : and was pleased to answer them according to the hints that I suggested. But now it was put so home, that this was to be complied with, or a breach was immediately to follow upon it. So this was done. And they were both so true to their promise, that I saw neither the one nor the other till a few days before the prince set sail for England. The prince sent Dykvelt and Halewyn constantly to me, with all the advertisements that came from England. So I had the whole secret of English affairs still brought me.

That which was first resolved on was, to send Dykvelt to England with directions how to talk with all sorts of people : to the king, to those of the church, and to the dissenters. I was ordered to draw his instructions, which he followed very closely. He was ordered to expostulate decently, but firmly, with the king, upon the methods he was pursuing, both at home and abroad ; and to see if it was possible to bring him to a better understanding with the prince. He was also to assure all the church party, that the prince would ever be firm to the church of England, and to all our national interests. The clergy, by the methods in which they corresponded with him, which I suppose was chiefly by the bishop of London's means, had desired him to use all his credit with the dissenters, to keep them from going into the measures of the court ; and to send over very positive assurances that, in case they stood firm now to the common interest, they would in a better time come into a comprehension of such as could be brought into a conjunction with the church, and to a toleration of the rest. They had also desired him to send over some of the preachers whom the violence of the former years had driven to Holland ; and to prevail effectually with them to oppose any false brethren whom the court might gain to deceive the rest : which the prince had done. And to many of them he gave such presents, as enabled them to pay their debts and to undertake the journey. Dykvelt had orders to press them all to stand off, and not to be drawn in by any promises the court might make them to assist them in the elections of parliament. He was also instructed to assure them of a full toleration ; and likewise of a comprehension, if possible, whensoever the crown should devolve on the princess. He was to try all sorts of people, and to remove the ill impressions that had been given them of the prince : for the church party was made believe he was a presbyterian, and the dissenters were possessed with a conceit of his being arbitrary and imperious. Some had even the impudence to give out that he was a papist. But the ill terms in which the king and he lived put an end to those reports at that time. Yet they were afterwards taken up, and managed with much malice to create a jealousy of him. Dykvelt was not gone off when D'Albeville came to the Hague. He did all he could to divert the journey : for he knew well Dykvelt's way of penetrating into secrets, he himself having been often employed by him, and well paid for several discoveries made by his means.

D'Albeville assured the prince and the States that the king was firmly resolved to main-

tain his alliance with them : that his naval preparations were only to enable him to preserve the peace of Europe : for he seemed much concerned to find that the States had such apprehensions of these, that they were putting themselves in a condition not to be surprised by them. In his secret negotiations with the prince and princess, he began with very positive assurances that the king intended never to wrong them in their right of succession : that all that the king was now engaged in was only to assert the rights of the crown, of which they would reap the advantage in their turn : the test was a restraint on the king's liberty, and therefore he was resolved to have it repealed : and he was also resolved to lay aside all penal laws in matters of religion : they saw too well the advantages that Holland had, by the liberty of conscience that was settled among them, to oppose him in this particular : the king could not abandon men, because they were of his own religion, who had served him well, and had suffered only on his account, and on the account of their conscience. He told them how much the king condemned the proceedings in France ; and that he spoke of that king as a poor bigot, who was governed by the archbishop of Paris and Madame de Maintenon ; whereas he knew Père de la Chaise had opposed the persecution as long as he could. But the king hated those maxims : and therefore he received the refugees very kindly, and had given orders for a collection of charity over the kingdom for their relief.

This was the substance both of what D'Albeville said to the prince and princess, and of what the king himself said to Dykvelt upon those subjects. At that time the king thought he had made a majority of the house of commons sure : and so he seemed resolved to have a session of parliament in April. And of this D'Albeville gave the prince positive assurances. But the king had reckoned wrong : for many of those who had been with him in his closet were either silent, or had answered him in such respectful words, that he took these for promises. But, when they were more strictly examined, the king saw his error : and so the sitting of the parliament was put off.

To all these propositions the prince and princess, and Dykvelt in their name, answered, that they were fixed in a principle against persecution in matters of conscience ; but they could not think it reasonable to let papists in to sit in parliament, or to serve in public trusts : the restless spirit of some of that religion, and of their clergy in particular, shewed they could not be at quiet till they were masters : and the power they had over the king's spirit, in making him forget what he had promised upon his coming to the crown, gave but too just a ground of jealousy : it appeared that they could not bear any restraints, nor remember past services longer, than those who did them could comply in everything with that which was desired of them : they thought the prerogative, as limited by law, was great enough : and they desired no such exorbitant power as should break through all laws : they feared that such an attack upon the constitution might rather drive the nation into a commonwealth : they thought the surest as well as the best way was to govern according to law : the church of England had given the king signal proofs of their affection and fidelity ; and had complied with him in everything, till he came to touch them in so tender a point as the legal security they had for their religion : their sticking to that was very natural : and the king's taking that ill from them was liable to great censure : the king, if he pleased to improve the advantages he had in his hand, might be both easy and great at home, and the arbiter of all affairs abroad : but he was prevailed on by the importunities of some restless priests to embroil all his affairs to serve their ends : they could never consent to abolish those laws which were the best, and now the only fence of that religion which they themselves believed true. This was the substance of their answers to all the pressing messages that were often repeated by D'Albeville. And upon this occasion the princess spoke so often, and with such firmness to him, that he said, she was more intractable on those matters than the prince himself. Dykvelt told me he argued often with the king on all these topics, but he found him obstinately fixed in his resolution. He said he was the head of the family, and the prince ought to comply with him ; but that he had always set himself against him. Dykvelt answered that the prince could not carry his compliance so far, as to give up his religion to his pleasure ; but that in all other things he had shown a very ready submission to his will : the peace of Nimeguen, of which the king was guarantee, was openly violated in the article relating to the principality of Orange : yet since the king did not think fit to



espouse his interests in that matter, he had been silent, and had made no protestations upon it: so the king saw that he was ready to be silent under so great an injury, and to sacrifice his own concerns rather than disturb the king's affairs. To this the king made no answer. The earl of Sunderland and the rest of the ministry pressed Dykvelt mightily to endeavour to bring the prince to concur with the king. And they engaged to him, that, if that were once settled, the king would go into close measures with him against France. But he put an end to all those propositions. He said, the prince could never be brought to hearken to them.

At this time a great discovery was made of the intentions of the court, by the Jesuits of Liege, who, in a letter that they wrote to their brethren at Friburg, in Switzerland, gave them a long account of the affairs of England. They told them, that the king was received into a communication of the merits of their order: that he expressed great joy at his becoming a son of the society; and professed, he was as much concerned in all their interests as in his own: he wished they could furnish him with many priests to assist him in the conversion of the nation, which he was resolved to bring about, or to die a martyr in endeavouring it; and that he would rather suffer death for carrying on that, than live ever so long and happy without attempting it. He said, he must make haste in this work, otherwise, if he should die before he had compassed it, he would leave them worse than he found them. They added, among many particulars, that, when one of them kneeled down to kiss his hand, he took him up, and said, since he was a priest, he ought rather to kneel to him, and to kiss his hand. And, when one of them was lamenting that his next heir was an heretic, he said, "God would provide an heir."

The Jesuits at Friburg showed this about. And one of the ministers, on whom they were taking some pains, and of whom they had some hopes, had got a sight of it. And he obtained leave to take a copy of it, pretending that he would make good use of it. He sent a copy of it to Heidegger, the famous professor of divinity at Zurich: and from him I had it. Other copies of it were likewise sent, both from Geneva and Switzerland. One of those was sent to Dykvelt; who upon that told the king, that his priests had other designs, and were full of those hopes that gave jealousies which could not be easily removed: and he named the Liege letter, and gave the king a copy of it. He promised to him he would read it; and he would soon see whether it was an imposture framed to make them more odious or not. But he never spoke of it to him afterwards. This Dykvelt thought was a confessing that the letter was no forgery. Thus Dykvelt's negotiation at London, and D'Albeville's at the Hague, ended without any effect on either side.

But, if his treating with the king was without success, his management of his instructions was more prosperous. He desired that those who wished well to their religion and their country would meet together, and concert such advices and advertisements as might be fit for the prince to know, that he might govern himself by them. The marquis of Halifax, and the earls of Shrewsbury, Devonshire, Danby, and Nottingham, the lords Mordaunt and Lumley, Herbert and Russel among the admirals, and the bishop of London, were the persons chiefly trusted. And upon the advices that were sent over by them the prince governed all his motions. They met often at the earl of Shrewsbury's. And there they concerted matters, and drew the declaration on which they advised the prince to engage.

In this state things lay for some months. But the king resolved to go on in his design of breaking through the laws. He sent a proclamation of indulgence to Scotland in February. It set forth in the preamble, that the king had an absolute power vested in him, so that all his subjects were bound to obey him without reserve: by virtue of this power, the king repealed all the severe laws that were passed in his grandfather's name during his infancy: he with that took off all disabilities that were by any law laid on his Roman catholic subjects, and made them capable of all employments and benefices: he also slackened all the laws made against the moderate presbyterians: and promised he would never force his subjects by any invincible necessity to change their religion: and he repealed all laws imposing tests on those who held any employments: instead of which he set up a new one, by which they should renounce the principles of rebellion, and should oblige themselves to maintain the king in this his absolute power against all mortals.

This was published in Scotland to make way for that which followed it some months after in England. It was strangely drawn, and liable to much just censure. The king by this raised his power to a pitch, not only of suspending, but of repealing laws, and of enacting new ones by his own authority. His claiming an absolute power, to which all men were bound to obey without reserve, was an invasion of all that was either legal or sacred. The only precedent that could be found for such an extraordinary pretension, was in the declaration that Philip the Second of Spain sent by the duke of Alva into the Netherlands, in which he founded all the authority that he committed to that bloody man, on the absolute power that rested in him. Yet in this the king went further than Philip, who did not pretend that the subjects were bound to obey without reserve. Every prince that believes the truth of religion, must confess that there are reserves in the obedience of their subjects, in case their commands should be contrary to the laws of God. The requiring all persons that should be capable of employments to swear to maintain this, was to make them feel their slavery too sensibly. The king's promising to use "no invincible necessity" to force his subjects to change their religion, showed that he allowed himself a very large reserve in this grace that he promised his subjects; though he allowed them none in their obedience. The laws that had passed during king James's minority had been often ratified by himself after he was of age. And they had received many subsequent confirmations in the succeeding reigns; and one in the king's own reign. And the test that was now taken away was passed by the present king, when he represented his brother. Some took also notice of the word "moderate presbyterians," as very ambiguous.

The court finding that so many objections lay against this proclamation (as indeed it seemed penned on purpose to raise new jealousies), let it fall, and sent down another some months after that was more cautiously worded; only absolute power was so dear to them, that it was still asserted in the new one. By it, full liberty was granted to all presbyterians to set up conventicles in their own way. They did all accept of it without pretending any scruples. And they magnified this, as an extraordinary stroke of providence, that a prince, from whom they expected an increase of the severities under which the laws had brought them, should thus of a sudden allow them such an unconfined liberty. But they were not so blind as not to see what was aimed at by it. They made addresses upon it full of acknowledgments, and of protestations of loyalty. Yet, when some were sent among them, pressing them to dispose all their party to concur with the king in taking away the tests and penal laws, they answered them only in cold and general words.

In April the king set out a declaration of toleration and liberty of conscience for England. But it was drawn up in much more modest terms than the Scotch proclamation had been. In the preamble, the king expressed his aversion to persecution on the account of religion, and the necessity that he found of allowing his subjects liberty of conscience, in which he did not doubt of the concurrence of his parliament: he renewed his promise of maintaining the church of England, as it was by law established: but with this he suspended all penal and sanguinary laws in matters of religion: and, since the service of all his subjects was due to him by the laws of nature, he declared them all equally capable of employments, and suppressed all oaths or tests that limited this: in conclusion, he promised he would maintain all his subjects in all their properties, and particularly in the possession of the abbey lands.

This gave great offence to all true patriots, as well as to the whole church party. The king did now assume a power of repealing laws by his own authority: for though he pretended only to suspend them, yet no limitation was set to this suspension: so it amounted to a repeal, the laws being suspended for all time to come. The preamble, that pretended so much love and charity, and that condemned persecution, sounded strangely in the mouth of a popish prince. The king's saying that he did not doubt of the parliament's concurring with him in this matter seemed ridiculous; for it was visible by all the prorogations, that the king was but too well assured, that the parliament would not concur with him in it. And the promise to maintain the subjects in their possessions of the abbey lands, looked as if the design of setting up popery was thought very near being effected, since otherwise there was no need of mentioning any such thing.

Upon this a new set of addresses went round the dissenters. And they, who had so long

reproached the church of England, as too courtly in their submissions and flatteries, seemed now to vie with them in those abject strains. Some of them, being penned by persons whom the court had gained, contained severe reflections on the clergy, and on their proceedings. They magnified the king's mercy and favour, and made great protestations of fidelity and gratitude. Many promised to endeavour that such persons should be chosen to serve in parliament, as should concur with the king in the enacting what he now granted so graciously. Few concurred in those addresses: and the persons that brought them up were mean and inconsiderable. Yet the court was lifted up with this. The king, and his priests, were delighted with these addresses out of measure: and they seemed to think that they had gained the nation, and had now conquered those who were hitherto their most irreconcilable enemies. The king made the cruelty of the church of England the common subject of discourse. He reproached them for setting on so often a violent persecution of the dissenters. He said he had intended to have set on this toleration sooner, but that he was restrained by some of them, who had treated with him, and had undertaken to show favour to those of his religion, provided they might be still suffered to vex the dissenters. He named the persons that had made those propositions to him. In which he suffered much in his honour: for as the persons denied the whole thing, so the freedom of discourse in any such treaty, ought not to have been made use of to defame them.

But, to carry this further, and to give a public and an odious proof of the rigour of the ecclesiastical courts, the king ordered an enquiry to be made into all the vexatious suits into which dissenters had been brought in these courts, and into all the compositions that they had been forced to make, to redeem themselves from further trouble: which, as was said, would have brought a scandalous discovery of all the ill practices of those courts. For the use that many that belonged to them had made of the laws with relation to the dissenters, was, to draw presents from such of them as could make them; threatening them with a process in case they failed to do that, and upon their doing it, leaving them at full liberty to neglect the laws as much as they pleased. It was hoped at court, that this fury against the church would have animated the dissenters to turn upon the clergy, with some of that fierceness with which they themselves had been lately treated. Some few of the hotter of the dissenters answered their expectations. Angry speeches and virulent books were published. Yet these were disowned by the wiser men among them: and the clergy, by a general agreement, made no answer to them. So that the matter was let fall, to the great grief of the popish party. Some of the bishops, that were gained by the court, carried their compliance to a shameful pitch: for they set on addresses of thanks to the king for the promise he had made, in the late declaration of maintaining the church of England: though it was visible that the intent of it was to destroy the church. Some few were drawn into this. But the bishop of Oxford had so ill success in his diocese, that he got but one single clergyman to concur with him in it. Some foolish men retained still their old peevishness. But the far greater part of the clergy began to open their eyes, and see how they had been engaged by ill-meaning men, who were now laying by the mask, into all the fury that had been driven on for many years by a popish party. And it was often said, that if ever God should deliver them out of the present distress, they would keep up their domestic quarrels no more, which were so visibly and so artfully managed by our enemies to make us devour one another, and so in the end to be consumed one of another. And when some of those who had been always moderate, told these, who were putting on another temper, that they would perhaps forget this as soon as the danger was over, they promised the contrary very solemnly. It shall be told afterwards how well they remembered this. Now the bed-chamber and drawing-room were as full of stories to the prejudice of the clergy, as they were formerly to the prejudice of the dissenters. It was said they had been loyal as long as the court was in their interests, and was venturing all on their account; but as soon as this changed, they changed likewise.

The king, seeing no hope of prevailing on his parliament, dissolved it; but gave it out, that he would have a new one before winter. And, the queen being advised to go to the Bath for her health, the king resolved on a great progress through some of the western counties.



Before he set out, he resolved to give the pope's nuncio a solemn reception at Windsor. He apprehended some disorder might have happened if it had been done at London. He thought it below both his own dignity, and the pope's, not to give the nuncio a public audience. This was a hard point for those who were to act a part in this ceremony; for all commerce with the see of Rome being declared high treason by law, this was believed to fall within the statute. It was so apprehended by queen Mary. Cardinal Pool was obliged to stay in Flanders till all those laws were repealed. But the king would not stay for that. The duke of Somerset, being the lord of the bed-chamber then in waiting, had advised with his lawyers: and they told him, he could not safely do the part that was expected of him in the audience. So he told the king that he could not serve him upon that occasion; for he was assured it was against the law. The king asked him, if he did not know that he was above the law. The other answered, that, whatever the king might be, he himself was not above the law. The king expressed a high displeasure, and turned him out of all employments\*. The ceremony passed very heavily: and the compliment was pronounced with so low a voice, that no person could hear it; which was believed done by concert.

When this was over, the king set out for his progress, and went from Salisbury all round as far as to Chester. In the places through which the king passed he saw a visible coldness both in the nobility and gentry, which was not easily borne by a man of his temper. In many places they pretended occasions to go out of their counties. Some stayed at home. And those who waited on the king seemed to do it rather out of duty and respect, than with any cordial affection. The king on his part was very obliging to all that came near him, and most particularly to the dissenters, and to those who had passed long under the notion of commonwealth's men. He looked very graciously on all that had been of the duke of Monmouth's party. He addressed his discourse generally to all sorts of people. He ran out on the point of liberty of conscience: he said, this was the true secret of the greatness and wealth of Holland. He was well pleased to hear all the ill-natured stories that were brought him of the violences committed of late, either by the justices of peace, or by the clergy. He everywhere recommended to them the choosing such parliament men, as would concur with him in settling this liberty as firmly as the Magna Charta had been: and to this he never forgot to add the taking away the tests. But he received such cold and general answers that he saw he could not depend on them. The king had designed to go through many more places: but the small success he had in those which he visited made him shorten his progress. He went and visited the queen at the Bath, where he stayed only a few days, two or three at most: and she continued on in her course of bathing. Many books were now written for liberty of conscience; and, since all people saw what security the tests gave, these spoke of an equivalent to be offered, that should give a further security beyond what could be pretended from the tests. It was never explained what was meant by this: so it was thought an artificial method to lay men asleep with a high sounding word. Some talked of new laws to secure civil liberty, which had been so much shaken by the practices of these last years, ever since the Oxford parliament. Upon this a very extravagant thing was given out, that the king was resolved to set up a sort of a commonwealth: and the papists began to talk everywhere very high for public liberty, trying by that to recommend themselves to the nation.

When the king came back from his progress, he resolved to change the magistracy in most of the cities of England. He began with London. He not only changed the court of aldermen, but the government of many of the companies of the city: for great powers had been reserved in the new charters that had been given, for the king to put in, and to put out, at pleasure: but it was said at the granting them, that these clauses were put in only to keep them in a due dependence on the court, but that they should not be made use of, unless great provocation was given. Now all this was executed with great severity and contempt. Those who had stood up for the king, during the debates about the exclusion, were now turned out with disgrace: and those who had appeared most violently against him were put

\* The duke of Grafton eventually introduced him. The conversation between James the Second and the duke of Somerset is very similarly told in an unpublished Life of the King, by the earl of Lonsdale.—Oxford edition of this work.

in the magistracy, who took liberties now in their turn to insult their neighbours. All this turned upon the king, who was so given up to the humours of his priests, that he sacrificed both his honour, and gratitude, as they dictated. The new men, who were brought in, saw this too visibly to be much wrought on by it.

The king threw off his old party in too outrageous a manner ever to return to them again. But he was much surprised to find that the new mayor and aldermen took the test, and ordered the observation of Gunpowder-treason day to be continued. When the sheriffs came, according to custom, to invite the king to the lord mayor's feast, he commanded them to go and invite the nuncio ; which they did. And he went upon the invitation, to the surprise of all who saw it. But the mayor and aldermen disowned the invitation ; and made an entry of it in their books, that the nuncio came without their knowledge. This the king took very ill. And upon it, he said, he saw the dissenters were an ill-natured sort of people, that could not be gained. The king signified to the lord mayor that he might use what form of worship he liked best in Guildhall chapel. The design in this was to engage the dissenters to make the first change from the established worship : and, if a presbyterian mayor should do this in one year, a popish mayor might do it in another. But the mayor put the decision of this upon persons against whom the court could have no exception. He sent to those, to whom the governing of the diocese of London was committed during the suspension, and asked their opinion in it ; which they could not but give in behalf of the established worship : and they added, that the changing it was against law. So this project miscarried ; and the mayor, though he went sometimes to the meetings of the dissenters, yet he came often to church, and behaved himself more decently than was expected of him.

This change in the city not succeeding as the court had expected, did not discourage them from appointing a committee to examine the magistracy in the other cities, and to put in, or out, as they saw cause for it. Some were putting the nation in hope that the old charters were to be restored. But the king was so far from that, that he was making every day a very arbitrary use of the power of changing the magistracy, that was reserved in the new charters. These regulators, who were for most part dissenters gained by the court, went on very boldly ; and turned men out upon every story that was made of them, and put such men in their room as they confided in. And in these they took their measures often so hastily, that men were put in one week, and turned out the other.

After this, the king sent orders to the lords-lieutenants of the counties, to examine the gentlemen and freeholders upon three questions. The first was, whether, in case they should be chosen to serve in parliament, they would consent to repeal the penal laws, and those for the tests. The second was, whether they would give their vote for choosing such men as would engage to do that. And the third was, whether they would maintain the king's declaration. In most of the counties the lords-lieutenants put those questions in so careless a manner, that it was plain they did not desire they should be answered in the affirmative. Some went further, and declared themselves against them. And a few of the more resolute refused to put them. They said, this was the prelimiting and packing of a parliament, which in its nature was to be free, and under no previous engagement. Many counties answered very boldly in the negative : and others refused to give any answer, which was understood to be equivalent to a negative. The mayor, and most of the new aldermen of London, refused to answer. Upon this many were turned out of all commissions.

This, as all the other artifices of the priests, had an effect quite contrary to what they promised themselves from it : for those who had resolved to oppose the court were more encouraged than ever, by the discovery now made of the sense of the whole nation in those matters. Yet such care was taken in naming the sheriffs and mayors that were appointed for the next year, that it was believed that the king was resolved to hold a parliament within that time, and to have such a house of commons returned, whether regularly chosen, or not, as should serve his ends.

It was concluded, that the king would make use both of his power and of his troops, either to force elections, or to put the parliament under a force when it should meet : for it was so positively said that the king would carry his point, and there was so little appearance of his being able to do it in a fair and regular way, that it was generally believed some very

desperate resolution was now taken up. His ministers were now so deeply engaged in illegal things, that they were very uneasy, and were endeavouring either to carry on his designs with success, so as to get all settled in a body that should carry the face and appearance of a parliament, or at least to bring him to let all fall, and to come into terms of agreement with his people; in which case, they reckoned, one article would be an indemnity for all that had been done.

The king was every day saying, that he was king, and he would be obeyed, and would make those who opposed him feel that he was their king; and he had both priests and flatterers about him, that were still pushing him forward. All men grew melancholy with this sad prospect. The hope of the true protestants was in the king's two daughters; chiefly on the eldest, who was out of his reach, and was known to be well instructed, and very zealous in matters of religion. The princess Anne was still very stedfast and regular in her devotions, and was very exemplary in the course of her life. But, as care had been taken to put very ordinary divines about her for her chaplains, so she had never pursued any study in those points with much application. And, all her court being put about her by the king and queen, she was beset with spies. It was therefore much apprehended that she would be strongly assaulted, when all other designs should so far succeed as to make that seasonable. In the mean while she was let alone by the king, who was indeed a very kind and indulgent father to her. Now he resolved to make his first attack on the princess of Orange. D'Albeville went over to England in the summer, and did not come back before the twenty-fourth of December, Christmas eve: and then he gave the princess a letter from the king, bearing date the fourth of November: he was to carry this letter; and his dispatches being put off longer than was intended, that made this letter come so late to her.

The king took the rise of his letter from a question she had put to D'Albeville, desiring to know what were the grounds upon which the king himself had changed his religion. The king told her, he was bred up in the doctrine of the church of England by Dr. Stewart, whom the king his father had put about him; in which he was so zealous, that when he perceived the queen his mother had a design upon the duke of Gloucester, though he preserved still the respect that he owed her, yet he took care to prevent it. All the while that he was beyond sea, no catholic, but one nun, had ever spoken one word to persuade him to change his religion; and he continued for the most part of that time firm to the doctrine of the church of England. He did not then mind those matters much; and, as all young people are apt to do, he thought it a point of honour not to change his religion. The first thing that raised scruples in him was, the great devotion that he had observed among catholics: he saw they had great helps for it: they had their churches better adorned, and did greater acts of charity, than he had ever seen among protestants. He also observed, that many of them changed their course of life, and became good Christians, even though they continued to live still in the world. This made him first begin to examine both religions. He could see nothing in the three reigns in which religion was changed in England, to incline him to believe that they who did it were sent of God. He read the history of that time, as it was written in the chronicle. He read both Dr. Heylin, and Hooker's preface to his Ecclesiastical Policy, which confirmed him in the same opinion. He saw clearly that Christ had left an infallibility in his church, against which "the gates of Hell cannot prevail:" and it appeared that this was lodged with St. Peter from our Saviour's words to him, St. Mat. xvi. ver. 18. Upon this the certainty of the Scriptures, and even of Christianity itself, was founded. The Apostles acknowledged this to be in St. Peter, Acts xv. when they said, "It seemed good to the Holy Ghost and to us." It was the authority of the church that declared the Scriptures to be canonical; and certainly they who declared them could only interpret them; and wherever this infallibility was, there must be a clear succession. The point of the infallibility being once settled, all other controversies must needs fall. Now the Roman church was the only church that either has infallibility, or that pretended to it. And they who threw off this authority did open a door to atheism and infidelity, and took people off from true devotion, and set even Christianity itself loose to all that would question it, and to Socinians and Latitudinarians who doubted of every thing. He had discoursed of these things with some divines of the church of England; but had received no



satisfaction from them. The Christian religion gained its credit by the miracles which the apostles wrought, and by the holy lives and sufferings of the martyrs, whose blood was the seed of the church. Whereas Luther and Calvin, and those who had set up the church of England, had their heads fuller of temporal matters than of spiritual, and had let the world loose to great disorders. Submission was necessary to the peace of the church; and when every man will expound the scriptures, this makes way to all sects, who pretend to build upon it. It was also plain, that the church of England did not pretend to infallibility; yet she acted as if she did; for ever since the reformation she had persecuted those who differed from her, dissenters as well as papists, more than was generally known. And he could not see why dissenters might not separate from the church of England, as well as she had done from the church of Rome. Nor could the church of England separate herself from the catholic church, any more than a county of England could separate itself from the rest of the kingdom. This, he said, was all that his leisure allowed him to write; but he thought that these things, together with the king his brother's papers, and the duchess's papers, might serve, if not to justify the catholic religion to an unbiassed judgment, yet at least to create a favourable opinion of it.

I read this letter in the original; for the prince sent it to me together with the princess's answer, but with a charge not to take a copy of either, but to read them over as often as I pleased; which I did till I had fixed both pretty well in my memory. And, as soon as I had sent them back, I sat down immediately to write out all that I remembered, which the princess owned to me afterwards, when she read the abstracts I made, were punctual almost to a tittle. It was easy for me to believe that this letter was all the king's inditing; for I had heard it almost in the very same words from his own mouth. The letter was written very decently, and concluded very modestly. The princess received this letter, as was told me, on the twenty-fourth of December, at night. Next day being Christmas-day, she received the sacrament, and was during the greatest part of the day in public devotions: yet she found time to draw first an answer, and then to write it out fair; and she sent it by the post on the twenty-sixth of December. Her draught, which the prince sent me, was very little blotted, or altered. It was long, about two sheets of paper; for, as an answer runs generally out into more length than the paper that is to be answered, so the strains of respect, with which her letter was full, drew it out to a greater length.

She began with answering another letter that she had received by the post; in which the king had made an excuse for failing to write the former post day. She was very sensible of the happiness of hearing so constantly from him; for no difference in religion could hinder her from desiring both his blessing and his prayers, though she was ever so far from him. As for the paper that M. Albeville delivered her, he told her, that his majesty would not be offended if she wrote her thoughts freely to him upon it.

She hoped he would not look on that as want of respect in her. She was far from sticking to the religion in which she was bred out of a point of honour; for she had taken much pains to be settled in it upon better grounds. Those of the church of England who had instructed her, had freely laid before her that which was good in the Romish religion, that so, seeing the good and the bad of both, she might judge impartially; according to the apostle's rule of "proving all things, and holding fast that which was good." Though she had come young out of England, yet she had not left behind her either the desire of being well informed, or the means for it. She had furnished herself with books, and had those about her who might clear any doubts to her. She saw clearly in the scriptures that she must work her own salvation with fear and trembling, and that she must not believe by the faith of another, but according as things appeared to herself. It ought to be no prejudice against the reformation, if many of those who professed it led ill lives. If any of them lived ill, none of the principles of their religion allowed them in it. Many of them led good lives, and more might do it by the grace of God. But there were many devotions in the church of Rome, on which the reformed could set no value.

She acknowledged that, if there was an infallibility in the church, all other controversies must fall to the ground; but she could never yet be informed where that infallibility was lodged: whether in the pope alone, or in a general council, or in both. And she desired to

know in whom the infallibility rested, when there were two or three popes at a time, acting one against another, with the assistance of councils, which they called general; and at least the succession was then much disordered. As for the authority that is pretended to have been given to St. Peter over the rest, that place which was chiefly alleged for it was otherwise interpreted by those of the church of England, as importing only the confirmation of him in the office of an apostle, when in answer to that question, "Simon, son of Jonas, lovest thou me," he had by a triple confession washed off his triple denial. The words that the king had cited were spoken to the other apostles, as well as to him. It was agreed by all, that the apostles were infallible, who were guided by God's holy spirit. But that gift, as well as many others, had ceased long ago. Yet in that, St. Peter had no authority over the other apostles; otherwise St. Paul understood our Saviour's words ill, who "withstood him to his face, because he was to be blamed." And if St. Peter himself could not maintain that authority, she could not see how it could be given to his successors, whose bad lives agreed ill with his doctrine.

Nor did she see, why the ill use that some made of the scriptures ought to deprive others of them. It is true, all sects made use of them, and find somewhat in them that they draw in to support their opinions: yet for all this our Saviour said to the Jews, "Search the Scriptures;" and St. Paul ordered his epistles to be read to all the Saints in the churches: and he says in one place, "I write as to wise men, judge what I say." And if they might judge an apostle, much more any other teacher. Under the law of Moses, the Old Testament was to be read, not only in the hearing of the scribes, and the doctors of the law, but likewise in the hearing of the women and children. And since God had made us reasonable creatures, it seemed necessary to employ our reason chiefly in the matters of the greatest concern. Though faith was above our reason, yet it proposed nothing to us that was contradictory to it. Every one ought to satisfy himself in these things: as our Saviour convinced Thomas, by making him to thrust his own hand into the print of the nails, not leaving him to the testimony of the other apostles, who were already convinced. She was confident that, if the king would hear many of his own subjects, they would fully satisfy him as to all those prejudices, that he had at the reformation; in which nothing was acted tumultuously, but all was done according to law. The design of it was only to separate from the Roman church, in so far as it had separated from the primitive church; in which they had brought things to as great a degree of perfection, as those corrupt ages were capable of. She did not see how the church of England could be blamed for the persecution of the dissenters; for the laws made against them were made by the State, and not by the church; and they were made for crimes against the state. Their enemies had taken great care to foment the division, in which they had been but too successful. But, if he would reflect on the grounds upon which the church of England had separated from the church of Rome, he would find them to be of a very different nature from those for which the dissenters had left it.

Thus, she concluded, she gave him the trouble of a long account of the grounds upon which she was persuaded of the truth of her religion: in which she was so fully satisfied, that she trusted by the grace of God that she should spend the rest of her days in it; and she was so well assured of the truth of our Saviour's words, that she was confident the gates of hell should not prevail against it, but that he would be with it to the end of the world. All ended thus, that the religion which she professed taught her her duty to him, so that she should ever be his most obedient daughter and servant.

To this the next return of the post brought an answer from the king, which I saw not. But the account that was sent me of it was: the king took notice of the great progress he saw the princess had made in her enquiries after those matters: the king's business did not allow him the time that was necessary to enter into the detail of her letter: he desired she would read those books that he had mentioned to her in his former letters, and some others that he intended to send her: and, if she desired to be more fully satisfied, he proposed to her to discourse about them with F. Morgan, an English jesuit then at the Hague.

I have set down very minutely every particular that was in those letters, and very nearly in the same words. It must be confessed, that persons of this quality seldom enter into such a discussion. The king's letter contained a studied account of the change of his religion,

which he had repeated often : and it was perhaps prepared for him by some others. There were some things in it, which, if he had made a little more reflection on them, it may be supposed he would not have mentioned. The course of his own life was not so strict, as to make it likely that the good lives of some papists had made such impressions upon him. The easy absolutions that are granted in that church, are a much juster prejudice in this respect against it, than the good lives of a few can be supposed to be an argument for it. The adorning their churches was a reflection that did no great honour to him that made it. The severities used by the church of England against the dissenters, were urged with a very ill grace by one of the church of Rome, that has delighted herself so often by being, as it were, bathed with the blood of those they call heretics : and, if it had not been for the respect that a daughter paid her father, here greater advantages might have been taken. I had a high opinion of the princess's good understanding, and of her knowledge in those matters, before I saw this letter : but this surprised me. It gave me an astonishing joy, to see so young a person all of the sudden, without consulting any one person, to be able to write so solid and learned a letter, in which she mixed with the respect that she paid a father so great a firmness, that by it she cut off all further treaty. And her repulsing the attack, that the king made upon her, with so much resolution and force, did let the popish party see, that she understood her religion as well as she loved it.

But now I must say somewhat of myself : after I had stayed a year in Holland, I heard from many hands, that the king seemed to forget his own greatness when he spoke of me, which he took occasion to do very often. I had published some account of the short tour I had made, in several letters ; in which my chief design was to expose both popery and tyranny. The book was well received, and was much read ; and it raised the king's displeasure very high \*.

My continuing at the Hague made him conclude, that I was managing designs against him. And some papers in single sheets came out, reflecting on the proceedings of England, which seemed to have a considerable effect on those who read them. These were printed in Holland ; and many copies of them were sent into all the parts of England. All which inflamed the king the more against me ; for he believed they were written by me, as indeed most of them were. But that which gave the crisis to the king's anger was, that he heard I was to be married to a considerable fortune at the Hague. So a project was formed to break this, by charging me with high treason for corresponding with lord Argyle, and for conversing with some that were outlawed for high treason.

The king ordered a letter to be written in his name to his advocate in Scotland, to prosecute me for some probable thing or other ; which was intended only to make a noise, not doubting but this would break the intended marriage. A ship coming from Scotland the day in which this prosecution was ordered, that had a quick passage, brought me the first news of it, long before it was sent to D'Albeville. So I petitioned the States, who were then sitting, to be naturalized, in order to my intended marriage. And this passed of course, without the least difficulty ; which perhaps might have been made, if this prosecution, now begun in Scotland, had been known. Now I was legally under the protection of the States of Holland ; yet I wrote a full justification of myself, as to all particulars laid to my charge, in some letters that I sent to the earl of Middleton. But in one of these I said, that, being now naturalized in Holland, my allegiance was, during my stay in these parts, transferred from his majesty to the States. I also said, in another letter, that, if upon my non-appearance a sentence should pass against me, I might be perhaps forced to justify myself, and to give an account of the share that I had in affairs these twenty years past ; in which I might be led to mention some things, that I was afraid would displease the king ; and therefore I should be sorry if I were driven to it.

Now the court thought they had somewhat against me ; for they knew they had nothing before. So the first citation was let fall, and a new one was ordered on these two accounts. It was pretended to be high treason to say my allegiance was now transferred ; and it was set forth, as a high indignity to the king, to threaten him with writing a history of the trans-

\* This was his " Travels through France, Italy, Germany, and Switzerland."



actions passed these last twenty years. The first of these struck at a great point, which was a part of the law of nations. Every man that was naturalized took an oath of allegiance to the prince, or state, that naturalized him. And, since no man can serve two masters, or be under a double allegiance, it is certain that there must be a transfer of allegiance, at least during the stay in the country where one is so naturalized.

This matter was kept up against me for some time, the court delaying proceeding to any sentence for several months. At last a sentence of outlawry was given; and upon that Albeville said, that, if the States would not deliver me up, he would find such instruments as should seize on me, and carry me away forcibly. The methods he named of doing this were very ridiculous. And he spoke of it to so many persons, that I believe his design was rather to frighten me, than that he could think to effect them. Many overtures were made to some of my friends in London, not only to let this prosecution fall, but to promote me, if I would make myself capable of it. I entertained none of these. I had many stories brought me of the discourses among some of the brutal Irish, then in the Dutch service; but, I thank God, I was not moved with them. I resolved to go on, and to do my duty, and to do what service I could to the public, and to my country; and resigned myself up entirely to that Providence that had watched over me to that time with an indulgent care, and had made all the designs of my enemies against me turn to my great advantage.

I come now to the year 1638, which proved memorable, and produced an extraordinary and unheard-of revolution. The year in this century made all people reflect on the same year in the former century, in which the power of Spain received so great a check, that the decline of that monarchy began then; and England was saved from an invasion, that, if it had succeeded as happily as it was well laid, must have ended in the absolute conquest, and utter ruin of the nation. Our books are so full of all that related to that armada, boasted to be invincible, that I need add no more to so known and so remarkable a piece of our history. A new eighty-eight raised new expectations, in which the surprising events did far exceed all that could have been looked for.

I begin the year with Albeville's negotiation after his coming to the Hague. He had before his going over given in a threatening memorial upon the business of Bantam, that looked like a prelude to a declaration of war; for he demanded a present answer, since the king could no longer bear the injustice done him in that matter, which was set forth in very high words. He sent this memorial to be printed at Amsterdam, before he had communicated it to the States. The chief effect that this had, was, that the actions of the company did sink for some days. But they rose soon again: and by this it was said, that Albeville himself made the greatest gain. The East-India fleet was then expected home every day. So the merchants, who remembered well the business of the Smyrna fleet in the year seventy-two, did apprehend that the king had sent a fleet to intercept them, and that this memorial was intended only to prepare an apology for that breach, when it should happen; but nothing of that sort followed upon it. The States did answer this memorial with another, that was firm, but more decently expressed: by their last treaty with England it was provided, that, in case any disputes should arise between the merchants of either side, commissioners should be named on both sides to hear and judge the matter: the king had not yet named any of his side; so that the delay lay at his door: they were therefore amazed to receive a memorial in so high a strain, since they had done all that by the treaty was incumbent on them. Albeville, after this, gave in another memorial, in which he desired them to send over commissioners for ending that dispute. But, though this was a great fall from the height in which the former memorial was conceived, yet in this the thing was so ill apprehended, that the Dutch had reason to believe that the king's ministers did not know the treaty, or were not at leisure to read it; for, according to the treaty, and the present posture of that business, the king was obliged to send over commissioners to the Hague to judge of that affair. When this memorial was answered, and the treaty was examined, the matter was let fall.

Albeville's next negotiation related to myself. I had printed a paper in justification of myself, together with my letters to the earl of Middleton; and he, in a memorial, complained of two passages in that paper. One was, that I said it was yet too early to persecute men

for religion, and therefore crimes against the state were pretended by my enemies: this, he said, did insinuate, that the king did in time intend to persecute for religion. The other was, that I had put in it an intimation, that I was in danger by some of the Irish papists. This, he said, was a reflection on the king, who hated all such practices. And to this he added, that by the laws of England all the king's subjects were bound to seize on any person that was condemned in his courts, in what manner soever they could: and therefore he desired, that both I, and the printer of that paper, might be punished. But now upon his return to the Hague, I being outlawed by that time, he demanded, that, in pursuance of an article of the treaty that related to rebels or fugitives, I might be banished the Provinces. And to this he craved once and again a speedy answer.

I was called before the deputies of the States of Holland, that I might answer the two memorials that lay before them relating to myself. I observed the difference between them. The one desired that the States would punish me, which did acknowledge me to be their subject. The other, in contradiction to that, laid claim to me as the king's rebel. As to the particulars complained of, I had made no reflection on the king; but to the contrary. I said, my enemies found it was not yet time to persecute for religion. This insinuated, that the king could not be brought to it; and no person could be offended with this, but he who thought it was now not too early to persecute. As to that of the danger in which I apprehended myself to be in, I had now more reason than before to complain of it, since the envoy had so publicly affirmed, that every one of the king's subjects might seize on any one that was condemned, in what manner soever they could, which was either dead or alive. I was now the subject of the States of Holland, naturalized in order to a marriage among them, as they all knew; and therefore I claimed their protection. So, if I was charged with any thing that was not according to law, I submitted myself to their justice. I should decline no trial, nor the utmost severity, if I had offended in any thing. As for the two memorials that claimed me as a fugitive and a rebel, I could not be looked on as a fugitive from Scotland. It was now fourteen years since I had left that kingdom, and three since I came out of England with the king's leave. I had lived a year in the Hague openly; and nothing was laid to my charge. As for the sentence that was pretended to be passed against me, I could say nothing to it, till I saw a copy of it.

The States were fully satisfied with my answer: and ordered a memorial to be drawn according to them. They also ordered their ambassador to represent to the king that he himself knew how sacred a thing naturalization was. The faith and honour of every state was concerned in it. I had been naturalized upon marrying one of their subjects, which was the justest of all reasons. If the king had any thing to lay to my charge, justice should be done in their courts. The king took the matter very ill; and said, it was an affront offered him, and a just cause of war. Yet, after much passion, he said, he did not intend to make war upon it; for he was not then in a condition to do it. But he knew there were designs against him, to make war on him, against which he should take care to secure himself; and he should be on his guard. The ambassador asked him, of whom he meant that. But he did not think fit to explain himself further. He ordered a third memorial to be put in against me, in which the article of the treaty was set forth; but no notice was taken of the answers made to that by the States: but it was insisted on, that, since the States were bound not to give sanctuary to fugitives and rebels, they ought not to examine the grounds on which such judgments were given, but were bound to execute the treaty. Upon this it was observed, that the words in treaties ought to be explained according to their common acceptation, or the sense given them in the civil law, and not according to any particular forms of courts, where for non-appearance a writ of outlawry, or rebellion, might lie. The sense of the word rebel in common use was, a man that had borne arms, or had plotted against his prince; and a fugitive was a man that fled from justice. The heat with which the king seemed inflamed against me, carried him to say, and do, many things that were very little to his honour.

I had advertisements sent me of a further progress in his designs against me. He had it suggested to him, that, since a sentence was passed against me for non-appearance, and the States refused to deliver me up, he might order private persons to execute the sentence

as they could: and it was written over very positively, that 5,000*l.* would be given to any one that should murder me. A gentleman of an unblemished reputation wrote me word, that he himself by accident saw an order drawn in the secretary's office, but not yet signed, for 3,000*l.* to a blank person that was to seize, or destroy, me\*. And he also affirmed, that prince George had heard of the same thing, and had desired the person to whom he trusted it to convey the notice of it to me: and my author was employed by that person to send the notice to me. The king asked Jeffreys what he might do against me in a private way, now that he could not get me into his hands. Jeffreys answered, he did not see how the king could do any more than he had done. He told this to Mr. Kirk to send it to me; for he concluded the king was resolved to proceed to extremities, and only wanted the opinion of a man of the law to justify a more violent method. I had so many different advertisements sent me of this, that I concluded a whisper of such a design might have been set about, on design to frighten me into some mean submission, or into silence at least: but it had no other effect on me, but that I thought fit to stay more within doors, and to use a little more than ordinary caution. I thank God, I was very little concerned at it. I resigned up my life very freely to God. I knew my own innocence, and the root of all the malice that was against me. And I never possessed my own soul in a more perfect calm, and in a clearer cheerfulness of spirit, than I did during all those threatenings, and the apprehensions that others were in concerning me.

Soon after this a letter written by Fagel, the pensioner of Holland, was printed; which leads me to look back a little into a transaction that passed the former year. There was one Steward, a lawyer of Scotland, a man of great parts, and of as great ambition. He had given over the practice of the law, because all that were admitted to the bar in Scotland were required to renounce the covenant, which he would not do. This recommended him to the confidence of that whole party. They had made great use of him, and trusted him entirely. Penn had engaged him, who had been long considered by the king, as the chief manager of all the rebellions and plots that had been on foot these twenty years past, more particularly of Argyle's, to come over: and he undertook that he should not only be received into favour, but into confidence. He came, before he crossed the seas, to the prince, and promised an inviolable fidelity to him, and to the common interests of religion and liberty. He had been often with the pensioner, and had a great measure of his confidence. Upon his coming to court, he was caressed to a degree that amazed all who knew him. He either believed that the king was sincere in the professions he made, and that his designs went no further than to settle a full liberty of conscience; or, he thought, that it became a man who had been so long in disgrace, not to shew any jealousies at first, when the king was so gracious to him. He undertook to do all that lay in his power to advance his designs in Scotland, and to represent his intentions so at the Hague, as might incline the prince to a better opinion of them.

He opened all this in several letters to the pensioner: and in these he pressed him vehemently, in the king's name, and by his direction, to persuade the prince to concur with the king in procuring the laws to be repealed. He laid before him the inconsiderable number of the papists: so that there was no reason to apprehend much from them. He also enlarged on the severities that the penal laws had brought on the dissenters. The king was resolved not to consent to the repealing them, unless the tests were taken away with them; so that the refusing to consent to this might at another time bring them under another severe prosecution. Steward, after he had written many letters to this purpose without receiving any answers, tried if he could serve the king in Scotland with more success, than it seemed he was likely to have at the Hague. But he found there, that his old friends were now much alienated from him, looking on him as a person entirely gained by the court.

The pensioner laid all his letters before the prince. They were also brought to me. The prince upon this thought, that a full answer made by Fagel, in such a manner as that it might be published as a declaration of his intentions, might be of service to him in many

\* Burnet's informant was lord Ossory, afterwards duke of Ormond.—Burnet's Life by his Son.



respects ; chiefly in popish courts, that were on civil accounts inclined to an alliance against France, but were now possessed with an opinion of the prince, and of his party in England, as designing nothing but the ruin and extirpation of all the papists in those kingdoms. So the pensioner wrote a long answer to Steward, which was put in English by me.

He began it with great assurances of the prince and princess's duty to the king. They were both of them much against all persecution on the account of religion. They freely consented to the covering papists from the severities of the laws made against them on the account of their religion, and also that they might have the free exercise of it in private. They also consented to grant a full liberty to dissenters ; but they could not consent to the repeal of those laws, that tended only to the securing the protestant religion ; such as those concerning the tests, which imported no punishment, but only an incapacity of being in public employments, which could not be complained of as great severities. This was a caution observed in all nations, and was now necessary, both for securing the public peace and the established religion. If the numbers of the papists were so small as to make them inconsiderable, then it was not reasonable to make such a change for the sake of a few ; and if those few, that pretended to public employments, would do all their own party so great a prejudice, as not to suffer the king to be content with the repeal of the penal laws, unless they could get into the offices of trust, then their ambition was only to be blamed, if the offers now made were not accepted. The matter was very strongly argued through the whole letter ; and the prince and princess's zeal for the protestant religion was set out in terms, that could not be very acceptable to the king. The letter was carried by Steward to the king, and was brought by him into the cabinet council ; but nothing followed then upon it. The king ordered Steward to write back, that he would either have all, or nothing. All the lay-papists of England, who were not engaged in the intrigues of the priests, pressed earnestly that the king would accept of the repeal of the penal laws ; which was offered, and would have made them both easy and safe for the future. The emperor was fully satisfied with what was offered ; and promised to use his interest at Rome, to get the pope to write to the king to accept of this, as a step to the other : but I could not learn whether he did it, or not. If he did, it had no effect. The king was in all points governed by the jesuits, and the French ambassador.

Father Petre, as he had been long in the confidence, was now brought to the council board, and made a privy councillor : and it was given out that the king was resolved to get a cardinal's cap for him, and to make him archbishop of York. The pope was still firm to his resolution against it : but it was hoped that the king would conquer it, if not in the present, yet at furthest in the next pontificate. The king resolved at the same time not to disgust the secular priests : so bishop Leyburn, whom cardinal Howard had sent over with the episcopal character, was made much use of in appearance, though he had no great share in the counsels. There was a faction formed between the seculars and the jesuits, which was sometimes near breaking out into an open rupture. But the king was so partial to the jesuits, that the others found they were not on equal terms with them. There were three other bishops consecrated for England. And these four were ordered to make a progress and circuit over England, confirming, and doing other episcopal offices, in all the parts of England. Great numbers gathered about them, wheresoever they went.

The Jesuits thought all was sure, and that their scheme was so well laid that it could not miscarry ; and they had so possessed that contemptible tool of theirs, Albeville, with this, that he seemed upon his return to the Hague to be so sanguine, that he did not stick to speak out, what a wiser man would have suppressed though he had believed it. One day, when the prince was speaking of the promises the king had made, and the oath that he had sworn to maintain the laws and the established church, he, instead of pretending that the king still kept his word, said, upon some occasions princes must forget their promises. And, when the prince said, that the king ought to have more regard to the church of England, which was the main body of the nation. Albeville answered, that the body which he called the church of England would not have a being two years to an end. Thus he spoke out the designs of the court, both too early and too openly ; but at the same time he behaved himself in all

other respects so poorly, that he became the jest of the Hague. The foreign ministers, M. d'Avaux, the French ambassador, not excepted, did not know how to excuse, or bear with, his weakness, which appeared on all occasions and in all companies.

What he wrote to England upon his first audiences was not known; but it was soon after spread up and down the kingdom, very artificially and with much industry, that the prince and princess had now consented to the repeal of the tests, as well as of the penal laws. This was written over by many hands to the Hague. The prince, to prevent the ill effects that might follow on such reports, gave orders to print the pensioner's letter to Steward; which was sent to all the parts of England, and was received with an universal joy. The dissenters saw themselves now safe in his intentions towards them. The church party was confirmed in their zeal for maintaining the tests. And the lay papists seemed likewise to be so well pleased with it, that they complained of those ambitious priests, and hungry courtiers, who were resolved, rather than lay down their aspirings and other projects, to leave them still exposed to the severities of the laws, though a freedom from these was now offered to them. But it was not easy to judge, whether this was sincerely meant by them, or if it was only a popular art, to recommend themselves under such a moderate appearance. The court saw the hurt that this letter did them. At first they hoped to have stifled it by calling it an imposture. But when they were driven from that, the king began to speak severely and indecently of the prince, not only to all about him, but even to foreign ministers: and resolved to put such marks of his indignation upon him, as should let all the world see how deep it was.

There were six regiments of the king's subjects, three English and three Scotch, in the service of the States. Some of them were old regiments, that had continued in their service during the two wars in the late king's reign. Others were raised since the peace in seventy-three. But these came not into their service under any capitulation, that had reserved an authority to the king to call for them at his pleasure. When Argyle and Monmouth made their invasion, the king desired that the States would lend them to him. Some of the towns of Holland were so jealous of the king, and wished Monmouth's success so much, that the prince found some difficulty in obtaining the consent of the States to send them over. There was no distinction made among them between papists and protestants, according to a maxim of the States with relation to their armies: so there were several papists in those regiments. And the king had showed such particular kindness to these, while they were in England, that at their return they formed a faction which was breeding great distractions among them. This was very uneasy to the prince, who began to see that he might have occasion to make use of those bodies, if things should be carried to a rupture between the king and him: and yet he did not know how he could trust them, while such officers were in command. He did not see neither how he could get rid of them well. But the king helped him out of that difficulty: he wrote to the States, that he had occasion for the six regiments of his subjects that were in their service, and desired that they should be sent over to him.

This demand was made all of the sudden, without any previous application to any of the States, to dispose them to grant it, or to many of the officers to persuade them to ask their congé to go over. The States pretended the regiments were theirs: they had paid levy money for them, and had them under no capitulation: so they excused themselves, that they could not part with them. But they gave orders, that all the officers that should ask their congé, should have it. Thirty, or forty, came and asked, and had their congé. So now the prince was delivered from some troublesome men by this management of the king's. Upon that, these bodies were so modelled, that the prince knew that he might depend entirely on them: and he was no more disturbed by those insolent officers, who had for some years behaved themselves rather as enemies, than as persons in the States' pay.

The discourse of a parliament was often taken up, and as often let fall: and it was not easy to judge in what such fluctuating counsels would end. Father Petre had gained such an ascendant, that he was considered as the first minister of state. The nuncio had moved the king to interpose, and mediate a reconciliation between the court of Rome and France. But he answered, that, since the pope would not gratify him in the promotion of father Petre, he would leave him to free himself of the trouble, into which he had involved himself.

the best way he could. And our court reckoned, that as soon as the pope felt himself pressed, he would fly to the king for protection, and grant him everything that he asked of him in order to obtain it. That Jesuit gave daily new proofs of a weak and ill-governed passion, and discovered all the ill qualities of one, that seemed raised up to be the common incendiary, and to drive the king and his party to the precipice.

Towards the end of April the king thought fit to renew the declaration that he had set out the former year for liberty of conscience, with an addition, declaring that he would adhere firmly to it, and that he would put none in any public employments, but such as would concur with him in maintaining it. He also promised, that he would hold a parliament in the November following. This promise of a parliament so long beforehand was somewhat extraordinary. Both father Petre, and Penn, engaged the king to it, but with a different prospect. Penn, and all the tools who were employed by him, had still some hopes of carrying a parliament to agree with the king, if too much time was not lost : whereas the delaying a parliament raised jealousies, as if none were intended, but that it was only talked of to amuse the nation till other designs were ripe.

On the other hand, father Petre and his cabal saw that the king was kept off from many things that they proposed, with the expectation of the concurrence of a parliament : and the fear of giving new disgusts, which might obstruct that, had begotten a caution that was very uneasy to them. They thought that much time was already lost, and that they made but a small progress. They began to apprehend that the regulators, who were still feeding them with hopes, and were asking more time, and more money, did intend only to amuse them, and to wear out the business into more length, and to keep themselves the longer in credit and in pay ; but that they did not in their hearts wish well to the main design, and therefore acted but an insincere part with the king. Therefore they resolved to put that matter to the last trial, reckoning that, if the king saw it was in vain to hope for anything in a parliamentary way, he might be more easily carried to extreme and violent methods.

The king was not satisfied with the publishing his declaration : but he resolved to oblige the clergy to read it in all their churches in the time of divine service. And now it appeared what bad effects were likely to follow on that officious motion that Sancroft had made, for obliging the clergy to read the declaration that king Charles set out in the year 1681, after the dissolution of the Oxford parliament. An order passed in council, requiring the bishops to send copies of the declaration to all their clergy, and to order them to read it on two several Sundays in time of divine service.

This put the clergy under great difficulties. And they were at first much divided about it. Even many of the best and worthiest of them were under some distraction of thought. They had many meetings, and argued the point long among themselves, in and about London. On the one hand it was said, that if they refused to read it, the king would proceed against them for disobedience. It did not seem reasonable to run so great a hazard upon such a point, that was not strong enough to bear the consequences that might follow on a breach. Their reading it did not import their approving it. But was only a publication of an act of their king's. So it was proposed, to save the whole, by making some declaration, that their reading it was a mere act of obedience, and did not import any assent and approbation of theirs. Others thought, that the publishing this in such manner was only imposed on them, to make them odious and contemptible to the whole nation, for reading that which was intended for their ruin. If they carried their compliance so far, that might provoke the nobility and gentry to carry theirs much further. If they once yielded the point, that they were bound to read every declaration, with this salvo that it did not import their approving it, they would be then bound to read everything that should be sent to them : the king might make declarations in favour of all the points of popery, and require them to read them : and they could not see where they must make their stop, if they did it not now. So it seemed necessary to fix on this, as a rule, that they ought to publish nothing in time divine service but that which they approved of. The point at present was not whether toleration was a lawful, or an expedient, thing. The declaration was founded on the claim of a dispensing power, which the king did now assume, that tended to the total subversion of the government, and the making it arbitrary ; whereas, by the constitution, it was a legal



administration. It also allowed such an infinite liberty, with the suspension of all penal laws, and that without any limitation, that paganism itself might be now publicly professed. It was visible, that the design in imposing the reading of it on them was only to make them ridiculous, and to make them contribute to their own ruin. As for the danger that they might incur, they saw their ruin was resolved on - and nothing they could do was likely to prevent it, unless they would basely sacrifice their religion to their worldly interests. It would be perhaps a year sooner, or later, by any other management : it was therefore fit, that they should prepare themselves for suffering ; and not endeavour to prevent it by doing that, which would draw on them the hatred of their friends, and the scorn of their enemies.

These reasons prevailed : and they resolved not to read the declaration. They saw of what importance it was that they should be unanimous in this. Nothing could be of more fatal consequence than their being divided in their practice. For, if any considerable body of the clergy, such as could carry the name of the church of England, could have been prevailed on to give obedience, and only some number, how valuable soever the men might be, should refuse to obey ; then the court might still pretend that they would maintain the church of England, and single out all those who had not given obedience, and fall on them, and so break the church within itself upon this point, and then destroy the one half by the means of the rest. The most eminent were resolved not to obey : and those who might be prevailed on to comply would by that means fall under such contempt, that they could not have the credit or strength to support the established religion. The court depended upon this, that the greater part would obey : and so they would be furnished with a point of state, to give a colour for turning out the disobedient, who were likely to be the men that stood most in their way, and crossed their designs most, both with their learning and credit.

Those few bishops that were engaged in the design of betraying the church, were persuaded that this would be the event of the matter : and they possessed the king with the hope of it so positively, that he seemed to depend upon it. The correspondence over England was managed with that secrecy, that these resolutions were so communicated to the clergy in the country, that they were generally engaged to agree in their conduct, before the court came to apprehend that they would be so unanimous, as it proved in conclusion that they were.

The archbishop of Canterbury, Sancroft, resolved upon this occasion to act suitably to his post and character. He wrote round his province, and desired that such of the bishops as were able would come up and consult together in a matter of this great concern : and he asked the opinion of those whom their age and infirmities disabled from taking the journey. He found that eighteen of the bishops, and the main body of the clergy, concurred in the resolution against reading the declaration. So he, with six of the bishops that came up to London, resolved, in a petition to the king, to lay before him the reasons that determined them not to obey the order of council that had been sent them : this flowed from no want of respect to his majesty's authority, nor from any unwillingness to let favour be shown to dissenters ; in relation to whom they were willing to come to such a temper as should be thought fit when that matter should be considered and settled in parliament and convocation : but, this declaration being founded on such a dispensing power as had been often declared illegal in parliament, both in the year 1662 and in the year 1672, and in the beginning of his own reign, and was a matter of so great consequence to the whole nation, both in church and state, they could not in prudence, honour, and conscience, make themselves so far parties to it, as the publication of it once and again in God's house, and in the time of divine service, must amount to.

The archbishop was then in an ill state of health. So he sent over the six bishops with the petition to the king, signed by himself and the rest. The king was much surprised with this, being flattered and deceived by his spies. Cartwright, bishop of Chester, was possessed with a story that was too easily believed by him, and was by him carried to the king, who was very apt to believe everything that suited with his own designs. The story was, that the bishops intended, by a petition to the king, to let him understand that orders of this kind used to be addressed to their chancellors, but not to themselves ; and to pray him to continue that method : and that by this means they hoped to get out of this difficulty. This was very acceptable to the court, and procured the bishops a quick admittance. And they had

proceeded so carefully that nothing concerted among them had broken out; for they had been very secret and cautious. The king, when he heard their petition, and saw his mistake, spoke roughly to them. He said, he was their king, and he would be obeyed: and they should be made to feel what it was to disobey him. The six bishops, were St. Asaph, Ely, Bath and Wells, Peterborough, Chichester, and Bristol. The answer they made the king was in these words: "The will of God be done." And they came from the court in a sort of triumph. Now matters were brought to a crisis. The king was engaged on his part, as the bishops were on theirs. So all people looked on with great expectations, reckoning that upon the issue of this business a great decision would be made, both of the designs of the court, and of the temper of the nation.

The king consulted for some days with all that were now employed by him, what he should do upon this emergent; and talked with people of all persuasions. Lob, an eminent man among the dissenters, who was entirely gained to the court, advised the king to send the bishops to the Tower. Father Petre seemed now as one transported with joy: for he thought the king was engaged to break with the church of England. And it was reported that he broke out into that indecent expression upon it, that they should be made to eat their own dung. The king was long in doubt. Some of the popish nobility pressed him earnestly to let the matter fall: for now it appeared, that the body of the clergy were resolved not to read the declaration. Those who did obey were few and inconsiderable. Only seven obeyed in the city of London, and not above two hundred all England over: and of these some read it the first Sunday, but changed their minds before the second: others declared in their sermons, that though they obeyed the order, they did not approve of the declaration: and one, more pleasantly than gravely, told his people that, though he was obliged to read it, they were not obliged to hear it; and he stopped till they all went out, and then he read it to the walls. In many places, as soon as the minister began to read it, all the people rose and went out\*.

The king did what he could to encourage those that did obey his order. Parker, bishop of Oxford, died about this time. He wrote a book against the tests full of petulant scurrility, of which I shall only give one instance. He had reflected much on the whole popish plot, and on Oates's evidence: and upon that he called the test, the sacrament of the Oatesian villany. He treated the parliament, that enacted the tests, with a scorn that no popish writer had yet ventured on: and he said much to excuse transubstantiation, and to free the church of Rome from the charge of idolatry. This raised such a disgust at him, even in those that had been formerly but too much influenced by him, that, when he could not help seeing that, he sunk upon it. I was desired to answer his book with the severity that he deserved: and I did it with an acrimony of style, that nothing but such a time, and such a man, could in any sort excuse. It was said, the king sent him my papers, hearing that nobody else durst put them in his hands, hoping that it would raise his indignation, and engage him to answer them. One Hall, a conformist in London, who was looked on as half a presbyterian, yet, because he read the declaration, was made bishop of Oxford. One of the popish bishops was upon the king's mandamus chosen, by the illegal fellows of Magdalen's college, their president. The sense of the nation, as well as of the clergy, had appeared so signally on this occasion, that it was visible, that the king had not only the seven petitioning bishops to deal with, but the body of the whole nation, both clergy and laity.

The violent advices of father Petre, and the Jesuit party, were so fatally suited to the king's own temper and passion, that they prevailed over the wiser counsels of almost all that were advised with. But the king, before he would bring the matter to the council, secretly engaged all the privy councillors to concur with him: and, after a fortnight's consultation, the bishops were cited to appear before the council. The petition was offered to them; and they were asked if they owned it to be their petition. They answered, it seemed they were

\* The earl of Dartmouth says he was then at Westminster school. As soon as bishop Sprat, who was then dean, gave order for the declaration being read, there was so great a murmur and noise in the Abbey, that no one could hear him; but, before he had finished, there was

none left but a few prebendaries in their stalls, the choristers, and Westminster scholars. The bishop could hardly hold the proclamation for trembling, and every one looked under a strange consternation.—Oxford edition of this work.

to be proceeded against upon that account ; so they hoped the king would not press them to a confession, and then make use of it against them : after they had offered this, they owned the petition. They were next charged with the publication of it ; for it was then printed. But they absolutely denied that was done by their means. The archbishop had written the petition all in his own hand, without employing any person to copy it out : and though there was one draught written of the petition, as it was agreed on, from which he had written out the original which they had all signed, yet he had kept that still in his own possession, and had never shown it to any person : so it was not published by them : that must have been done by some of those to whom the king had shown it.

They were in the next place required to enter into bonds, to appear in the court of king's bench, and answer to an information of misdemeanor. They excepted to this ; and said, that by their peerage they were not bound to do it. Upon their insisting on this, they were sent to the Tower, by a warrant signed by the whole board, except father Petre, who was passed over by the king's order. This set the whole city into the highest fermentation that was ever known in memory of man. The bishops were sent by water to the Tower : and all along as they passed the banks of the river were full of people, who kneeled down and asked their blessing, and with loud shouts expressed their good wishes for them, and their concern in their preservation. The soldiers, and other officers in the Tower, did the same. An universal consternation appeared in all people's looks. But the king was not moved with all this. And, though two days after, upon the queen's pretended delivery, the king had a fair occasion to have granted a general pardon, to celebrate the joy of that birth (and it was given out by those papists that had always affected to pass for moderate men, that they had all pressed this vehemently), the king was inflexible : he said, his authority would become contemptible, if he suffered such an affront to pass unpunished.

A week after their commitment, they were brought upon a *habeas corpus* to the king's bench bar, where their counsel offered to make it appear to be an illegal commitment : but the court allowed it good in law. They were required to enter into bonds for small sums, to answer to the information that day fortnight.

The bishops were discharged of their imprisonment : and people of all sorts ran to visit them as confessors, one company going in as another went out. The appearance in Westminster-hall was very solemn : about thirty of the nobility accompanying them. All the streets were full of shoutings the rest of the day, and with bonfires at night.

When the day fixed for their trial came, there was a vast concourse. Westminster-hall, and all the places about, were full of people, who were strangely affected with the matter. Even the army, that was then encamped on Hounslow Heath, showed such a disposition to mutiny, that it gave the king no small uneasiness. The trial came on, which was chiefly managed against the bishops by sir William Williams. He had been speaker in two successive parliaments, and was a zealous promoter of the exclusion : and he had continued many years a bold pleader in all causes against the court : but he was a corrupt and vicious man, who had no principles, but followed his own interests. Sawyer, the attorney-general, who had for many years served the ends of the court in a most abject and obsequious manner, would not support the dispensing power : so he was turned out, Powis being advanced to be attorney-general : and Williams was made solicitor-general. Powis acted his part in this trial as fairly as his post could admit of. But Williams took very indecent liberties. And he had great advantages over Sawyer and Finch, who were among the bishops' counsel, by reflecting on the precedents and proceedings during their being the king's counsel. The king's counsel could not have full proof that the bishops' hands were truly theirs, and were forced to have recourse to the confession they had made at the council board : which was thought very dishonourable, since they had made that confession in confidence, trusting to the king's honour, though it did not appear that any promise was made, that no advantage should be taken of that confession. No proof was brought of their publishing it, which was the main point. The presenting it to the king, and afterwards their owning it to be their petition, when it was put to them at the council board, was all that the king's counsel could offer for proof of this ; which was an apparent strain, in which even those judges that were



the surest to the court, did not seem to be satisfied. It was much urged against them, that this petition was a libel, tending to the defaming the king's government.

But to this it was answered, that they having received an order, to which they found they could not give obedience, thought it was incumbent on them, as bishops and as subjects, to lay before the king their reasons for it: all subjects had a right to petition the king: they, as peers, were of his great council, and so had yet a better claim to that: and that more particularly in matters of religion; for the act of uniformity in queen Elizabeth's time had required them under a curse to look carefully after those matters; the dispensing power had been often brought into debate in parliament, and was always voted to be against law: and the late king had yielded the point by recalling his declaration: so they thought, they had a right to represent these things to the king. And occasion was often taken to reflect on the dispensing power. To this the king's counsel replied, that the votes of one, or both houses were not laws, till they were enacted by king and parliament: and the late king's passing once from a point of his prerogative did not give it up, but only waved it for that time: they urged much the sacredness of the king's authority; that a paper might be true in fact, and yet be a libel; that in parliament the two houses had a right to petition, but it was sedition to do it in a point of government out of parliament.

The trial did last long, above ten hours. The crowds continued in expectation all the while, and expressed so great a concern for the bishops, that the witnesses who were brought against them were not only treated with much scorn and loud laughter upon every occasion, but seemed to be in such danger, that they escaped narrowly, going away by a back passage. Two of the judges, Powel and Halloway, delivered their opinion, that there was no seditious matter in the petition, and that it was no libel. Wright was now brought into this court and made chief justice; and Herbert was made chief justice of the common pleas: Herbert was with the court in the main of the king's dispensing power, but was against them in most particulars: so he could not serve their ends in this court. Wright was the more proper tool. He in his charge called the petition a libel: but he did not think the publication was proved.

The jury was fairly returned. When they were shut up, they were soon agreed upon their verdict, to acquit the bishops. But it was thought to be both the more solemn, and the safer way, to continue shut up till the morning. The king still flattered himself with the hope that the bishops would be brought in guilty. He went that morning to the camp: for the ill humour the army was in the day before, made him think it necessary to go and keep them in awe and order, by his own presence.

The court sat again next day. And then the jury came in with their verdict. Upon which there were such shoutings, so long continued, and as it were echoed into the city, that all people were struck with it. Every man seemed transported with joy. Bonfires were made all about the streets. And the news going over the nation, produced the like rejoicings and bonfires all England over. The king's presence kept the army in some order. But he was no sooner gone out of the camp, than he was followed with an universal shouting, as if it had been a victory obtained\*. And so fatally was the king pushed on to his ruin, that

\* The following are more particular details, relative to this memorable transaction. The petition was as follows:

"*The Petition of some of the Bishops to King James the Second, against promulgating his 'Declaration for liberty of conscience.'*

"To the King's Most Excellent Majesty.

"The humble Petition of William, Archbishop of Canterbury, and of divers of the suffragan Bishops of that province, now present with him, in behalf of ourselves and other of our absent brethren, and of the Clergy of our respective dioceses.

"Humbly sheweth,

"That the great averseness they find in themselves to the distributing and publishing, in all their churches, your Majesty's late declaration for liberty of conscience, proceedeth neither from any want of duty and obedience to

your Majesty, (our holy mother, the Church of England, being, both in her principles and constant practice, unquestionably loyal; and having, to her great honour, been more than once publicly acknowledged to be so by your gracious Majesty,) nor yet from any want of due tenderness to Dissenters: in relation to whom they are willing to come to such a temper, as shall be thought fit, when that matter shall be considered and settled in Parliament and Convocation; but, among many other considerations, from this especially, because that declaration is founded upon such a dispensing power, as hath been often declared illegal in Parliament; and particularly in the years 1662 and 1672, and in the beginning of your Majesty's reign: and is a matter of so great moment and consequence to the whole nation, both in Church and State, that your petitioners cannot in prudence, honour, or conscience, so far make themselves parties to it, as the distribution of it

he seemed not to be, by all this, enough convinced of the folly of those violent counsels. He intended still to pursue them. It was therefore resolved on, to bring this matter of the contempt of the order of council, in not reading the declaration, before the ecclesiastical commis-

all over the nation, and the solemn publication of it once and again, even in God's house, and in the time of his divine service, must amount to in common and reasonable construction.

"Your petitioners, therefore, most humbly and earnestly beseech your Majesty, that you will be graciously pleased not to insist upon the distributing and reading your Majesty's said declaration.

"And your petitioners will ever pray, &c."—Singer's Clarendon Corr. ii. 478.

This petition was signed by William Sancroft, archbishop of Canterbury; William Lloyd, bishop of St. Asaph; Francis Turner, of Ely; John Lake, of Chichester; Thomas Ken, of Bath and Wells; Thomas White, of Peterborough; and Jonathan Trelawney, of Bristol. It was signed in the presence of, and consented to, by Henry, bishop of London<sup>a</sup>; Dr. Tillotson, dean of Canterbury; Stillingfleet, dean of St. Paul's; Patrick, dean of Peterborough; Tenison, vicar of St. Martin's in the Fields; Grove, rector of St. Andrew's Undershaft; and Sherlock, master of the Temple.

When the bishops came to present the petition, they were "brought to the king in his closet within his bed-chamber, where the bishop of St. Asaph, with the rest, all being upon their knees, delivered the petition to his majesty. He was pleased at first to receive the petitioners and their petition graciously, and, having opened it, said, 'This is my lord of Canterbury's own hand.' To which the bishops replied, 'Yes, Sir; it is his own hand.' But the king, having read it over, and then folding it up, said thus, or to this effect:

*King.* This is a great surprise to me: here are strange words. I did not expect this from you; especially from some of you. This is a standard of rebellion.

*St. Asaph,* and some of the rest, replied, that they had adventured their lives for his majesty, and would lose the last drop of their blood, rather than lift up a finger against him.

*King.* I tell you this is a standard of rebellion: I never saw such an address.

*Bristol,* falling down on his knees, said, Rebellion! Sir, I beseech you, do not say so hard a thing of us. For God's sake, do not believe we are, or can be, guilty of rebellion; it is impossible that I, or any of my family, should be so. Your majesty cannot but remember that you sent me down into Cornwall, to quell Monmouth's rebellion; and I am as ready to do what I can to quell another, if there were occasion.

*Chichester.* Sir, we have quelled one rebellion, and will not raise another.

*Ely.* We rebel! Sir, we are ready to die at your feet.

*Bath and Wells.* Sir, I hope you will give that liberty to us, which you allow to all mankind.

*Peterborough.* Sir, you allow liberty of conscience to all mankind: the reading this declaration is against our conscience.

*King.* I will keep this paper. It is the strangest address which I ever saw: it tends to rebellion. Do you question my dispensing power? Some of you here have printed and preached for it, when it was for your purpose.

*Peterborough.* Sir, what we say of the dispensing power, refers only to what was declared in parliament.

*King.* The dispensing power was never questioned by the men of the church of England.

*St. Asaph.* It was declared against in the first parliament called by his late majesty, and by that which was called by your majesty.

The *King*, insisting upon the tendency of the petition to rebellion, said, he would have his declaration published.

*Bath and Wells.* We are bound to fear God, and honour the king: we desire to do both. We will honour you; we must fear God.

*Bristol.* We will do our duty to your majesty in every thing to the utmost, which does not interfere with our duty to God.

*King.* Is this what I have deserved of you, who have supported the church of England, and will support it? I will remember you that have signed this paper: I will keep this paper; I will not part with it. I did not expect this from you; especially from some of you: I will be obeyed in publishing my declaration.

*Bath and Wells.* God's will be done!

*King.* What is that?

*Bath and Wells and Peterborough.* God's will be done!

*King.* If I think fit to alter my mind, I will send to you. God hath given me this dispensing power, and I will maintain it. I tell you, there are seven thousand men, and of the church of England too, that have not bowed their knees to Baal.

This is the sum of what passed, as far as the bishops could recollect it; and this being said, they were dismissed."—Archbishop Sancroft's MSS.; Singer's Clarendon Corr. ii. 479, &c.

"On Friday, June 8th, at five in the afternoon, his majesty came into the privy council. About half an hour after, the archbishop and six bishops, who were attending in the next room, were called into the council chamber, and graciously received by his majesty. The lord chancellor took a paper then lying on the table, and, showing it to the archbishop, asked him in words to this effect:—'Is this the petition that was written and signed by your grace, and which these bishops presented to his majesty?' The archbishop received the paper from the lord chancellor, and, addressing himself to his majesty, said to this purpose: 'Sir, I am called hither as a criminal, which I never was before in my life, and little thought I ever should be, especially before your majesty: but, since it is my unhappiness to be so at this time, I hope your majesty will not be offended, that I am cautious of answering questions. No man is obliged to answer questions that may tend to the accusing of himself.' His majesty called this chicanery, and hoped he would not deny his hand. The archbishop still insisted upon it, that there could be no other end of this question, but to draw such an answer from him as might afford ground for an accusation; and therefore desired there might be no answer required of him. *St. Asaph* said, 'All divines of all christian churches agree in this, that no man in our circumstances is obliged to answer any such questions.' The king still pressing for an answer with some seeming impatience, the archbishop said, 'Sir, though we are not obliged to give any answer to this question, yet, if your majesty lays your command upon us, we shall answer it, in trust upon your majesty's justice and generosity, that we shall not suffer for our obedience, as we must if our answer should be brought in evidence against us.' His majesty said, 'No, I will not command you; if you will deny your own hand,

<sup>a</sup> On two other copies of the petition, one of which is in archbishop Sancroft's handwriting, are the following subscriptions:—Approbo, H. London, May 23; William, Norwich, May 23; Robert, Gloucester, May 21; Seth, Sarum, May 26; P. Winchester: Tho. Exon, May 29.—Singer's Clarendon Corr. ii. 478.

sioners. They did not think fit to cite the archbishop and bishops before them: for they did not doubt they would plead to their jurisdiction, and refuse to acknowledge their authority; which they hoped their chancellors, and the inferior clergy, would not venture on.

I know not what to say to you,' &c. The lord chancellor said, 'Withdraw.' After about half a quarter of an hour, they were called in again. Then the lord chancellor said, 'His majesty has commanded me to require you to answer this question: Whether these be your hands that are set to this petition?' His majesty himself also said, 'I command you to answer this question.' Then the archbishop took the petition, and, having read it over, said, 'I own that I wrote this petition, and that this is my hand.' Then the lord chancellor asked each of the bishops; and they all acknowledged their hands, and that they delivered this petition. Then they were commanded to withdraw. After a while, they were called in a third time. Then the lord chancellor told them, 'It is his majesty's pleasure to have you proceeded against for this petition; but it shall be with all fairness at Westminster Hall. There will be an information against you, which you are to answer; and in order to that, you are to enter into a recognisance.' The archbishop said, 'that without a recognisance they should be ready to appear, and to answer, whenever they were called.' One of the bishops said, the lord Lovelace had been called before the council, to answer to a complaint that was brought against him, and that he was allowed to answer it in Westminster Hall, without entering into any recognisance; and that they hoped they might be allowed to answer in like manner. The lord chancellor said, 'the lord Lovelace had affronted his majesty, and behaved himself very rudely before them; and, therefore, his majesty would have him proceeded against in the common way; but, for the bishops there present, his majesty was pleased to treat them with all favour in respect of their character; and therefore he would have them enter into a recognisance.' His majesty was pleased to say, 'I offer you this as a favour, and I would not have you refuse it.' St. Asaph said, 'Whatsoever favour your majesty vouchsafes to offer to any person, you are pleased to leave it to him whether he will accept it or no; and you do not expect he should accept it to his own prejudice. We conceive that this entering into recognisance may be prejudicial to us; and, therefore, we hope your majesty will not be offended at our declining it.' Then the lord chancellor said, 'There are but three ways to proceed in matters of this kind: it must be either by commitment, or by recognisance, or by subpoena out of the king's bench. His majesty was not willing to take the common way in proceeding against you, but he would give you leave to enter into recognisance;' and his lordship again advised them to accept it. Some of the bishops said, they were informed that no man was obliged to enter into recognisance, unless there were special matter against him, and that there was an oath of it made against that person. This they said, not considering that now the petition was made special matter, and that their confessing it was as good as an oath. But at last they insisted on this, that there was no precedent for it, that any member of the house of peers should be bound in recognisance for misdemeanour. The lord chancellor said there were precedents for it; but, being desired to name one, he named none. The bishops desired to be proceeded against the common way; but that was not allowed, and they were a third time commanded to withdraw.

"A while after, they were called in the fourth time, and asked, whether they had considered of it better? and whether they would accept of his majesty's favour? The archbishop said, he had the advice of the best counsel in town, and they warned him of this, assuring him it would

be to his prejudice; and therefore he desired that it might not be required, offering his promise again to appear and to answer, whensoever he should be called. But his majesty seemed to be displeased, and said, 'You will believe others before you will believe me.' So they were the fourth time commanded to withdraw.

"A good while after this, the earl of Berkely came forth to the bishops, and endeavoured first to persuade the archbishop to enter into recognisance, which he thought had been agreed between them over-night; for on Thursday night, almost at bed-time, his lordship came to the archbishop at Lambeth, and, after half an hour's discourse, at last came to speak of his appearing at council the next day, and then advised his grace to offer a recognisance. His grace said, 'I am advised to that way.' His lordship said, 'That is well;' and soon after took his leave. Now he seemed to look upon it as something strange, that his grace should refuse to enter into recognisance; but finding him fixed, he endeavoured to persuade the other bishops. He told them he would do it, if he were in their case; but finding them all of a mind, he went outward from the council, but soon after returned that way into the council chamber again; from whence, about half an hour after, came forth Mr. Riley, a serjeant-at-arms, with the warrant, signed with fifteen hands, to carry the seven bishops to the Tower; and another warrant, with nineteen hands and seals, for the lieutenant of the Tower to keep them in safe custody."—*Singer's Clarendon Corr.* ii. 481.

*Dialogue between the King and Bishops, after the third or fourth coming in.*

A. Sir, we appear before you this day, by virtue of your summons, as criminals; the first time that ever I stood as a criminal before any man, and I am sorry that it happens to be before my sovereign lord. We are advised, Sir, that they, who are in this condition of criminals, are not obliged to answer to any questions which may be to their prejudice; notwithstanding, if your majesty requires it of us, we will tell you the true matter of fact, trusting in your majesty's justice and generosity, that no advantage shall be taken against us from our confession.

Q. Is this your petition?

R. Pray, Sir, give us leave to see it; and if, upon perusal, it appears to be the same—yes, Sir, this is our petition, and these are our subscriptions.

Q. Who were present at the forming of it?

R. All who have subscribed it.

Q. Were no other persons present?

R. It is our great infelicity that we are here as criminals; and your majesty is so just and generous that you will not require us to accuse either ourselves or others.

Q. Upon what occasion came you to London?

R. I received an intimation from the archbishop, that my advice and assistance was required in the affairs of the church.

Q. What were the affairs which you consulted of?

R. The matter of the petition.

Q. What is the temper you are ready to come to with the dissenters?

R. We refer ourselves to the petition.

Q. What mean you by the dispensing power being declared illegal in parliament?

R. The words are so plain that we cannot use any plainer.

Q. What want of prudence or honour is there in obeying the king?



Citations were sent out requiring the chancellors and archdeacons to send in the lists of all the clergy, both of such as had obeyed, and of those who had not obeyed the order of council. Some of these were now so much animated, with the sense that the nation had expressed of the bishops' imprisonment and trial, that they declared they would not obey this order: and others excused themselves in softer terms. When the day came to which they were cited, the bishop of Rochester, though he himself had obeyed the order, and had hitherto gone along, sitting with the other commissioners, but had always voted on the milder side, yet now, when he saw matters were running so fast to the ruin of the church, he not only would sit no longer with them, but wrote a letter to them; in which he said, it was impossible for him to go on with them any longer, for though he himself had obeyed the order of council, which he protested he did because he thought he was bound in conscience to do it, yet he did not doubt but that those who had not obeyed it had gone upon the same principle of following their conscience, and he would much rather choose to suffer with them, than to concur in making them suffer. This stopped proceedings for that day, and put the court to a stand. So they adjourned themselves till December, and they never sat any more.

This was the progress of that transaction, which was considered all Europe over as the

*R.* What is against conscience is against prudence and honour too, especially in persons of our character.

*Q.* Why is it against conscience?

*R.* Because our consciences oblige us (as far as we are able) to preserve our laws and religion according to the Reformation.

*Q.* Is the dispensing power then against law?

*R.* We refer ourselves to the petition.

*Q.* How could the distributing and reading the declaration make you parties to it?

*R.* We refer ourselves to our petition, whether the common and reasonable construction of mankind would not make it so.

*Q.* Did you disperse a printed letter in the country, or otherwise dissuade any of the clergy from reading it?

*R.* If this be one of the articles of misdemeanour against us, we desire to answer it with the rest.

*General.* We acknowledge the petition: we are summoned to appear here to answer such matters of misdemeanour as shall be objected; we therefore humbly desire a copy of our charge, and that time convenient may be allowed us to advise about it, and answer it. We are here in obedience to his majesty's command, to receive our charge, but humbly desire we may be excused from answering questions, from whence occasion may be taken against us.—*Singer's Clarendon Corr.* ii. 483.

Henry, earl of Clarendon, in his Diary, May 18, 1688, says, "In the evening, the bishops, six in number, presented a petition to the king, praying that his majesty would recall his proclamation for reading the Proclamation of Indulgence in the churches. It was written with the archbishop's own hand, and signed by himself and the other six. The king took them into the room within the bed-chamber; when he had read the petition, he was angry, and said, he did not expect such a petition from them. This the bishop of St. Asaph told me when he came home."

So angry was James, that the next day he appears to have sent for all the judges to Whitehall, to consult them upon this episcopal offence.—(*Singer's Clarendon Corr.* ii. 172.) On the 28th, Lord Sunderland sent a summons to them to appear before the king in council, on the 8th of June, to answer to such matters of misdemeanour as should be then objected against them.—(*Ibid.* 173.) The king was informed that lord Clarendon had been present when the bishops' petition was drawn up at Lambeth; and this is not at all improbable, since he mentions in his diary that he had frequent conferences subsequently with them, at his own house. On the 8th of June they

appeared before the council, and were called upon to enter into recognizances to appear in the court of King's Bench on the first day of the following term; and, upon refusing, they were committed to the Tower: and the attorney-general was ordered to prefer an information against them. On the following day, lord Clarendon relates that "multitudes of people went to the Tower to the bishops." The lord chancellor (Jeffreys) told lord Clarendon that he regretted very much that the king had been induced to proceed with the prosecution of the bishops, which at one time he had declined; "some men (he added) would hurry the king to his destruction."

On the 15th of June the attorney-general moved to have the bishops brought to the bar of the court of King's Bench. "Both the hall and palace yard were extremely crowded: all the way, as the bishops came from the bridge, where they landed, to the very court, the people made a lane for them, and begged their blessings. When they were in court, the information against them was read. The bishops' counsel offered several pleas, but they were all overruled; judge Powell dissenting from his brethren on every point. At last they pleaded the general issue; and so their trials were appointed to be this day fortnight. The court took their own recognizances to appear then, the archbishop in 200*l.*, the rest in 100*l.* each; and so they went home; the people in like manner crowding for their blessing. As I was taking coach in the little Palace-yard, I found the bishop of St. Asaph in the midst of a crowd, the people thinking it a blessing to kiss any of these bishops' hands, or garments."—*Ibid.* 177.

On the 21st the chancellor had introduced to the king, Sir Samuel Astry; and, as he was to strike the jury, it was immediately reported it was for foul play against the bishops.—(*Ib.* 178.) According to the same authority, sir Robert Clarke had been very busy at sir Samuel Astry's about the jury. This was not portentous of good, and the chance of justice being administered, was still farther diminished, if, as the lord chancellor told lord Clarendon, the judges were "most of them rogues."—(*Ib.* 179.) On the 29th they were brought to trial; the proceedings lasted from nine in the morning until after six in the evening. "When the jury withdrew, the court adjourned until ten the next morning; and at that time, the jury, (sir Roger Langley, foreman) brought in their verdict 'not guilty;' upon which there was a most wonderful shout, that one would have thought the hall had cracked, inasmuch that the court took notice of it. In the evening multitudes of bonfires were made to celebrate the acquittal."

trial, whether the king or the church were like to prevail. The decision was as favourable as was possible. The king did assume to himself a power to make laws void, and to qualify men for employments, whom the law had put under such incapacities, that all they did was null and void. The sheriffs and mayors of towns were no legal officers; judges (one of them being a professed papist, Alibon,) who took not the test, were no judges: so that the government, and the legal administration of it, was broken. A parliament returned by such men was no legal parliament. All this was done by virtue of the dispensing power, which changed the whole frame of our government, and subjected all the laws to the king's pleasure; for, upon the same pretence of that power, other declarations might have come out, voiding any other laws that the court found stood in their way; since we had scarce any law that was fortified with such clauses, to force the execution of it, as those that were laid aside had in them. And when the king pretended that this was such a sacred point of government, that a petition, offered in the modestest terms, and in the humblest manner possible, calling it in question, was made so great a crime, and carried so far against men of such eminence; this, I confess, satisfied me, that here was a total destruction of our constitution, avowedly begun, and violently prosecuted. Here was not jealousy, nor fears; the thing was open and avowed. This was not a single act of illegal violence, but a declared design against the whole of our constitution. It was not only the judgment of a court of law: the king had now by two public acts of state, renewed in two successive years, openly published his design. This appeared such a total subversion, that, according to the principles, that some of the highest assertors of submission and obedience, Barklay and Grotius, had laid down, it was now lawful for the nation to look to itself, and see to its own preservation. And, as soon as any man was convinced that this was lawful, there remained nothing but to look to the prince of Orange, who was the only person that either could save them, or had a right to it: since by all the laws in the world, even private as well as public, he that has in him the reversion of any estate, has a right to hinder the possessor, if he goes about to destroy that, which is to come to him after the possessor's death.

Upon all this disorder that England was falling into, admiral Russel came to the Hague. He had a good pretence for coming over to Holland, for he had a sister then living in it. He was desired by many of great power and interest in England to speak very freely to the prince, and to know positively of him what might be expected from him. All people were now in a gaze: those who had little or no religion had no mind to turn papists, if they could see any probable way of resisting the fury with which the court was now driving; but men of fortune, if they saw no visible prospect, would be governed by their present interest: they were at present united; but, if a breaking should once happen, and some men of figure should be prevailed on to change, that might go far; especially in a corrupt and dissolute army, that was as it were let loose to commit crimes and violences every where, in which they were rather encouraged than punished; for it seemed to be set up as a maxim, that the army by rendering itself odious to the nation would become thereby entirely devoted to the court: but after all, though soldiers were bad Englishmen and worse Christians, yet the court found them too good protestants to trust much to them. So Russel put the prince to explain himself what he intended to do.

The prince answered, that, if he was invited by some men of the best interest, and the most valued in the nation, who should, both in their own name and in the name of others who trusted them, invite him to come and rescue the nation and the religion, he believed he could be ready by the end of September to come over. The main confidence we had was in the electoral prince of Brandenburg; for the old elector was then dying. And I told Russel at parting, that, unless he died, there would be great difficulties, not easily mastered, in the design of the prince's expedition to England.

He was then ill of a dropsy, which, coming after a gout of a long continuance, seemed to threaten a speedy end of his life. I had the honour to see him at Cleves; and was admitted to two long audiences, in which he was pleased to speak to me with great freedom. He was a prince of great courage. He both understood military matters well, and loved them much. He had a very perfect view of the state Europe had been in for fifty years, in which he had borne a great share in all affairs, having directed his own counsels himself. He had a won-

derful memory, even in the smallest matters; for every thing passed under his eye. He had a quick apprehension, and a choleric temper. The heat of his spirits was apt to kindle too quick, till his interest cooled him; and that fetched him back, which brought him under the censure of changing sides too soon, and too often. He was a very zealous man in all the concerns of religion. His own life was regular, and free of all blemishes. He tried all that was possible to bring the Lutherans, and Calvinists, to some terms of reconciliation. He complained much of the rigidity of the Lutherans, more particularly of those in Prussia: nor was he well pleased with the stiffness of the Calvinists: and he inveighed against the synod of Dort, as that which had set all on fire, and made matters almost past reconciling. He thought, all positive decisions in those matters ought to be laid aside by both parties, without which nothing could bring them to a better temper.

He had a very splendid court; and to maintain that, and his great armies, his subjects were pressed hard by many uneasy taxes. He seemed not to have a just sense of the miseries of his people. His ministers had great power over him in all lesser matters, while he directed the greater; and he suffered them to enrich themselves excessively.

In the end of his life the electoress had gained great credit, and governed his counsels too much. He had set it up for a maxim, that the electoral families in Germany had weakened themselves so much, that they would not be able to maintain the liberty of the empire against the Austrian family, which was now rising by their victories in Hungary: the houses of Saxe, and the Palatine, and of Brunswick, and Hesse, had done this so much, by the dismembering some of their dominions to their younger children, that they were mouldering to nothing; he therefore resolved to keep all his dominions entire in one hand: this would make his family the balance to the house of Austria, on whom the rest of the empire must depend: and he suffered his electoress to provide for her children, and to enrich herself by all the ways she could think on, since he would not give them any share of his dominions. This she did not fail to do. And the elector, having just cause of complaint for being abandoned by the allies in the peace of Nimeguen, and so forced to restore what he had got from the Swedes, the French upon that gave him a great pension, and made the electoress such presents, that he was prevailed on to enter into their interests; and in this he made some ill steps in the decline of his life. But nothing could soften him with relation to that court, after they broke the edict of Nantes, and began the persecution of the protestants. He took great care of all the refugees. He set men on the frontier of France to receive and defray them; and gave them all the marks of Christian compassion, and of a bounty becoming so great a prince. But his age and infirmities, he being crippled with the gout, and the ill understanding that was between the prince electoral and electoress, had so disjointed his court, that little was to be expected from him.

Death came upon him quicker than was looked for. He received the intimations of it with the firmness that became both a Christian and a hero. He gave his last advices to his son, and to his ministers, with a greatness and a tenderness that both surprised and melted them all: and above all other things he recommended to them the concerns of the protestant religion, then in such an universal danger. His son had not his genius. He had not a strength of body, nor a force of mind, capable of great matters. But he was filled with zeal for the reformed religion; and he was at that time so entirely possessed with a confidence in the prince of Orange, and with a high esteem of him, as he was his cousin-german, that we had a much better prospect of all our affairs, by his succeeding his father. And this was increased by the great credit that Dankelman, who had been his governor, continued to have with him; for he had true notions of the affairs of Europe, and was a zealous protestant, and was likely to prove a very good minister, though he was too absolute in his favour, and was too much set on raising his own family. All at the Hague were looking with great concern on the affairs of Europe; these being, in many respects, and in many different places, brought to a very critical state.

I must now look back to England, where the queen's delivery was the subject of all men's discourse. And since so much depends on this, I will give as full and as distinct an account of all that related to that matter, as I could gather up either at that time or afterwards. The queen had been for six or seven years in such an ill state of health, that every winter



brought her very near death. Those about her seemed well assured that she, who had buried all her children, soon after they were born, and had now for several years ceased bearing, would have no more children. Her own priests apprehended it, and seemed to wish for her death. She had great, and frequent distempers, that returned often, which put all people out of their hopes, or fears, of her having any children. Her spirits were now much on the fret. She was eager in the prosecution of all the king's designs. It was believed that she had a main hand in driving him to them all. And he, perhaps to make her gentler to him in his vagrant amours, was more easy to her in every thing else. The lady Dorchester was come back from Ireland; and the king went often to her. But it was visible, she was not likely to gain that credit in affairs to which she had aspired; and therefore this was less considered.

She had another mortification, when Fitz-James, the king's son, was made duke of Berwick\*. He was a soft and harmless young man, and was much beloved by the king: but the queen's dislike kept him from making any great figure. He made two campaigns in Hungary, that were little to his honour; for, as his governor diverted the allowance that was given for keeping a table, and sent him always to eat at other tables, so, though in the siege of Buda there were many occasions given him to have distinguished himself, yet he had appeared in none of them. There was more care taken of his person than became his age and condition: yet his governor's brother was a jesuit, and in the secret; so every thing was ventured on by him, and all was forgiven him.

In September, the former year, the queen went to the Bath, where, as was already told, the king came and saw her, and stayed a few days with her. She after that pursued a full course of bathing: and, having resolved to return in the end of September, an accident took her to which the sex is subject; and that made her stay there a week longer. She came to Windsor on the sixth of October. It was said, that, at the very time of her coming to the king, her mother, the duchess of Modena, made a vow to the lady Loretto, that her daughter might by her means have a son. And it went current, that the queen believed herself to be with child in that very instant, in which her mother made her vow; of which, some travellers have assured me, there was a solemn record made at Loretto†. A conception said to be thus begun looked suspicious. It was now fixed to the sixth of October; so the nine months were to run to the sixth of July. She was in the progress of her big belly let blood several times; and the most astringent things that could be proposed were used.

It was soon observed that all things about her person were managed with a mysterious secrecy, into which none were admitted but a few papists. She was not dressed, nor undressed, with the usual ceremony. Prince George told me, that the princess went as far in desiring to be satisfied by feeling the motion, after she said she was quick, as she could go without breaking with her; and she had sometimes stayed by her even indecently long in mornings, to see her rise, and to give her her shift; but she never did either. She never offered any satisfaction in that matter by letter to the princess of Orange, nor to any of the ladies of quality, in whose word the world would have acquiesced. The thing upon this began to be suspected; and some libels were written, treating the whole as an imposture. The use the queen made of this was, to say, that since she saw some were suspecting her as capable of so black a contrivance, she scorned to satisfy those who could entertain such thoughts of her. How just soever this might be with relation to the libellers, yet certainly, if she was truly with child, she owed it to the king and herself, to the king's daughters, but most of all to the infant she carried in her belly, to give such reasonable satisfaction, as might put an end to jealousy. This was in her power to do every day; and her not doing it gave just grounds of suspicion.

Things went thus on till Monday in Easter week. On that day the king went to Rochester, to see some of the naval preparations; but was soon sent for by the queen, who apprehended she was in danger of miscarrying. Dr. Scarborough was come to Knightsbridge to see bishop Ward, my predecessor, who had been his ancient friend, and was then his patient: but the queen's coach was sent to call him in all haste, since she was near miscarrying.

\* This was the king's illegitimate son by Arabella, sister to the lord Churchill.

† See an account of this affair in *Misson's Voyage d'Italie*, i. 314.

Dr. Windebank, who knew nothing of this matter, stayed long that morning upon an appointment for Dr. Wallgrave, another of the queen's physicians, who the next time he saw him excused himself; for the queen, he said, was then under the most apparent signs of miscarriage. Of this the doctor made oath; and it is yet extant.

On the same day the countess of Clarendon, being to go out of town for a few days, came to see the queen before she went, knowing nothing of what had happened to her: and she, being a lady of the bedchamber to queen dowager, did, according to the rule of the court, go into the queen's bedchamber without asking admittance. She saw the queen abed, bemoaning herself in a most doleful manner, saying often, "Undone, undone:" and one that belonged to her carried somewhat out of the bed, which she believed was linen taken from the queen. She was upon this in some confusion; and the countess of Powis coming in, went to her, and said with some sharpness, what do you here? And carried her to the door. Before she had got out of the court, one of the bedchamber women followed her, and charged her not to speak of any thing she had seen that day. This matter, whatever was in it, was hushed up; and the queen held on her course.

The princess had miscarried in the spring; so as soon as she had recovered her strength, the king pressed her to go to the Bath, since that had so good an effect on the queen. Some of her physicians, and all her other friends, were against her going. Lowen, one of her physicians, told me, he was against it: he thought she was not strong enough for the Bath, though the king pressed it with an unusual vehemence. Millington, another physician, told the earl of Shrewsbury, from whom I had it, that he was pressed to go to the princess, and advise her to go to the Bath. The person that spoke to him told him, the king was much set on it, and that he expected it of him, that he would persuade her to it. Millington answered, he would not advise a patient according to direction, but according to his own reason; so he would not go. Scarborough and Witherly took it upon them to advise it; so she went thither in the end of May.

As soon as she was gone, those about the queen did all of the sudden change her reckoning, and began it from the king's being with her at Bath. This came on so quick, that, though the queen had set the fourteenth of June for her going to Windsor, where she intended to lie in, and all the preparations for the birth and for the child were ordered to be made ready by the end of June, yet now a resolution was taken for the queen's lying in at St. James's; and directions were given to have all things quickly ready. The Bath water either did not agree with the princess, or the advices of her friends were so pressing, who thought her absence from the court at that time of such consequence, that in compliance with them she gave it out, it did not, and that therefore she would return in a few days.

The day after the court had this notice, the queen said, she would go to St. James's, and look for the good hour. She was often told, that it was impossible upon so short a warning to have things ready. But she was so positive, that she said, she would lie there that night, though she should lie upon the boards. And at night, though the shorter and quicker way was to go from Whitehall to St. James's through the Park, and she always went that way; yet now, by a sort of affectation, she would be carried thither by Charing Cross through the Pall Mall. And it was given out by all her train, that she was going to be delivered. Some said it would be next morning; and the priests said very confidently, that it would be a boy.

The next morning, about nine o'clock, she sent word to the king, that she was in labour. The queen dowager was next sent to; but no ladies were sent for: so that no women were in the room, but two dressers and one undresser, and the midwife. The earl of Arran sent notice to the countess of Sunderland; so she came. The lady Bellasis came also in time. The protestant ladies that belonged to the court, were all gone to church before the news was let go abroad; for it happened on Trinity Sunday, it being that year on the tenth of June. The king brought over with him from Whitehall a great many peers and privy councillors; and of these eighteen were let into the bedchamber; but they stood at the furthest end of the room. The ladies stood within the alcove. The curtains of the bed were drawn close, and none came within them but the midwife and an under dresser. The queen lay all the while abed; and, in order to the warming one side of it, a warming-pan was brought: but it was

not opened, that it might be seen that there was fire and nothing else in it ; so here was matter for suspicion, with which all people were filled.

A little before ten, the queen cried out as in a strong pain, and immediately after the midwife said aloud, she was happily brought to bed. When the lords all cried out of what, the midwife answered, the queen must not be surprised ; only she gave a sign to the countess of Sunderland, who upon that touched her forehead, by which, it being the sign before agreed on, the king said he knew it was a boy. No cries were heard from the child ; nor was it shewn to those in the room. It was pretended more air was necessary. The under dresser went out with the child, or something else, in her arms to a dressing room, to which there was a door near the queen's bed ; but there was another entry to it from other apartments.

The king continued with the lords in the bedchamber for some minutes, which was either a sign of much phlegm upon such an occasion ; for it was not known whether the child was alive or dead ; or it looked like the giving time for some management. After a little while they went all into the dressing-room ; and then the news was published. In the mean while, nobody was called to lay their hands on the queen's belly, in order to a full satisfaction. When the princess came to town three days after, she had as little satisfaction given her. Chamberlain, the man-midwife, who was always ordered to attend her labour before, and who brought the plaisters for putting back the milk, wondered that he had not been sent to. He went according to custom with the plaisters ; but he was told they had no occasion for him. He fancied, that some other person was put in his place ; but he could not find that any had it. All that concerned the milk, or the queen's purgations, was managed still in the dark. This made all people inclined more and more to believe, there was a base imposture now put on the nation. That still increased. That night one Hemings, a very worthy man, an apothecary by his trade, who lived in St. Martin's Lane, the very next door to a family of an eminent papist ; (Brown, brother to the viscount Montacute, lived there :) the wall between his parlour and theirs being so thin, that he could easily hear any thing that was said with a louder voice, he (Hemings) was reading in his parlour late at night, when he heard one coming into the neighbouring parlour, and say with a doleful voice, "The prince of Wales is dead : " upon which a great many that lived in the house came down stairs very quick : upon this confusion he could not hear any thing more ; but it was plain, they were in a great consternation. He went with the news next morning to the bishops in the Tower. The countess of Clarendon came thither soon after, and told them, she had been at the young prince's door, but was denied access : she was amazed at it ; and asked, if they knew her. They said they did, but that the queen had ordered, that no person whatsoever should be suffered to come in to him. This gave credit to Hemings' story, and looked as if all was ordered to be kept shut up close, till another child was found. One, that saw the child two days after, said to me, that he looked strong, and not like a child so newly born. Windebank met Walgrave the day after this birth, and remembered him of what he had told him eight weeks before. He acknowledged what he had said, but added, that God wrought miracles ; to which no reply could, or durst be made by the other : it needed none. So healthy a child being so little like any of those the queen had borne, it was given out that he had fits, and could not live. But those who saw him every day observed no such thing. On the contrary, the child was in a very prosperous state. None of those fits ever happened when the princess was at court ; for she could not be denied admittance, though all others were. So this was believed to be given out to make the matter more credible. It is true, some weeks after that, the court being gone to Windsor, and the child sent to Richmond, he fell into such fits, that four physicians were sent for. They all looked on him as a dying child. The king and queen were sent for. The physicians went to a dinner prepared for them ; and were often wondering that they were not called for. They took it for granted, that the child was dead ; but when they went in after dinner to look on him, they saw a sound healthy child, that seemed to have had no sort of illness on him. It was said, that the child was strangely revived of a sudden. Some of the physicians told Lloyd, bishop of St. Asaph, that it was not possible for them to think it was the same child. They looked on one another, but durst not speak what they thought.

Thus I have related such particulars as I could gather of this birth ; to which some more



shall be added, when I give an account of the proof that the king brought afterwards to put this matter out of doubt; but by which it became indeed more doubtful than ever. I took most of these from the informations that were sent over to the prince and princess of Orange, as I had many from the vouchers themselves. I do not mix with these the various reports that were, both then and afterwards, spread of this matter, of which bishop Lloyd has a great collection, most of them well attested. What truth soever may be in these, this is certain, that the method in which this matter was conducted, from first to last, was very unaccountable. If an imposture had been intended, it could not have been otherwise managed. The pretended excuse that the queen made, that she owed no satisfaction to those who could suspect her capable of such base forgery, was the only excuse that she could have made, if it had been really what it was commonly said to be. She seemed to be soon recovered, and was so little altered by her labour, either in her looks or voice, that this helped not a little to increase jealousies. The rejoicings over England upon this birth were very cold and forced. Bonfires were made in some places, and a set of congratulatory addresses went round the nation. None durst oppose them; but all was formal, and only to make a shew\*.

The prince and princess of Orange received the news of this birth very decently. The first letters gave not those grounds of suspicion that were sent to them afterwards; so they sent over Zuytlestein to congratulate: and the princess ordered the prince of Wales to be prayed for in her chapel. Upon this occasion, it may not be improper to set down what the princess said to myself on this subject two years before. I had asked her, in the freedom of much discourse, if she knew the temper of her own mind, and how she could bear the queen's having a son. She said, she was sure it would give her no concern at all on her own account; God knew best what was fit for her; and, if it was not to serve the great ends of Providence, she was sure that, as to herself, she would rather wish to live and die in the condition she was then in. The advertisements formerly mentioned came over from so many hands, that it was impossible not to be shaken by them. It was also taken ill in England, that the princess should have begun so early to pray for the pretended prince; upon which the naming him discontinued. But this was so highly resented by the court of England, that the prince, fearing it might precipitate a rupture, ordered him to be again named in the prayers.

The prince set himself with great application to prepare for the intended expedition; for Zuytlestein brought him such positive advices, and such an assurance of the invitation he had desired, that he was fully fixed in his purpose. It was advised from England, that the prince could never hope for a more favourable conjuncture, nor for better grounds to break on, than he had at that time. The whole nation was in a high fermentation. The proceedings against the bishops, and those that were still kept on foot against the clergy, made all people think the ruin of the church was resolved on, and that on the first occasion it would be executed, and that the religion would be altered. The pretended birth made them reckon

\* However interest and party prejudice at the time may have influenced Burnet and others to suspect the truth of the birth of prince James Francis Edward, better known by the political epithet of "the Pretender," few persons who will take the trouble to compare the conflicting statements that were published then, and subsequently, will think there is any circumstantial evidence adduced that at all shakes the direct testimony that he was the offspring of the queen. Lord Clarendon says that it was "every where ridiculed, as if scarce any one believed" the queen was pregnant; yet that popular prejudice that she was incapable of child-bearing is refuted by the fact that she subsequently gave birth to a princess in 1692, during her exile in France. Princess Anne evidently doubted the assertion that the pretender was really the offspring of the queen. The latter, during her pregnancy, carefully avoided letting the princess or any but her immediate attendants have an opportunity to see her person, which, considering the reports about her non-pregnancy, was very injudicious.

When the lords of the council waited upon the princess with the depositions made before them by the king, and the queen-dowager, she avoided expressing any concurrence, but merely observed, "My lords, this was not necessary; for I have so much duty for the king, that his word must be more to me than these depositions."—Singer's Clarendon Corr. ii. 198, 199.

Circumstantial evidence is certainly strong to justify the suspicions that were entertained; but all such evidence will bear two interpretations, and that which is in accordance with direct testimony must prevail. The queen's repugnance to be inspected is readily accounted for without having recourse to the explanation that she was carrying on a deception. Full particulars relative to this much-disputed point can be obtained from the numerous pamphlets of the time, the names of which can be found by a reference to Watt's *Bibliotheca Britannica*. See especially, "The several Declarations, &c. concerning the Birth of the Prince of Wales;" "A full answer to the Depositions, &c." *Life of J. Kettlowell*; Dalrymple's *Memoirs*.

that popery and slavery would be entailed on the nation. And, if this heat went off, people would lose heart. It was also visible, that the army continued well affected. They spoke openly against popery; they drank the most reproachful healths against them that could be invented, and treated the few papists that were among them with scorn and aversion. The king saw this so visibly, that he broke up the camp, and sent them to their quarters; and it was believed, that he would bring them no more together till they were modelled more to his mind. The seamen shewed the same inclinations. The Dutch had set out a fleet of twenty-four men of war, on pretence to secure their trade: so the king resolved to set out as strong a fleet. Strickland, who was a papist, had the command. He brought some priests aboard with him, who said mass, or at least performed such offices of their religion as are allowed in ships of war: and the chaplain, that was to serve the protestants in Strickland's ship, was sent away upon a slight pretence. This put the whole fleet into such a disorder, that it was likely to end in a mutiny. Strickland punished some for this; and the king came down to accommodate the matter. He spoke very softly to the seamen; yet this made no great impression; for they hated popery in general, and Strickland in particular. When some gained persons among the seamen tried their affections to the Dutch, it appeared they had no inclinations to make war on them. They said aloud, they were their friends and their brethren; but they would very willingly go against the French. The king saw all this, and was resolved to take other more moderate measures.

These advices were suggested by the earl of Sunderland, who saw the king was running violently to his own ruin. So, as soon as the queen admitted men to audiences, he had some very long ones of her. He represented to her, that the state of her affairs was quite changed by her having a son. There was no need of driving things fast, now they had a succession sure: time would bring all about, if matters were but softly managed. He told her, it would become her to set up for the author of gentle counsels, that she might by another administration lay the flame that was now kindled. By this she would gain the hearts of the nation, both to herself and to her son: she might be declared regent, in case the king should die before her son came to be of age. He found these advices began to be hearkened to; but, that he might have the more credit in pressing them, he, who had but too slight notions of religion, resolved to declare himself a papist. And then, he, being in the same interest with her, and most violently hated for this ill step he had made, gained such an ascendant over her spirit, that things were likely to be put in another management.

He made the step to popery all on the sudden, without any previous instruction or conference; so that the change he made looked too like a man who, having no religion, took up one, rather to serve a turn, than that he was truly changed from one religion to another. He has since been accused, as if he had done all this to gain the more credit, that so he might the more effectually ruin the king. There was a suspicion of another nature, that stuck with some in England, who thought that Mr. Sidney, who had the secret of all the correspondence that was between the prince, and his party in England, being in particular friendship with the earl of Sunderland, the earl had got into that secret; and they fancied he would get into the prince's confidence by Sidney's means. So I was written to, and desired to put it home to the prince, whether he was in any confidence or correspondence with the earl of Sunderland, or not? For, till they were satisfied in that matter, they would not go on; since they believed he would betray all, when things were ripe for it, and that many were engaged in the design. The prince upon that did say very positively, that he was in no sort of correspondence with him. His counsels lay then another way; and, if time had been given him to follow the scheme then laid down by him, things might have turned fatally; and the nation might have been so laid asleep with new promises, and a different conduct, that in a slow method they might have gained that, which they were so near losing, by the violent proceedings in which they had gone so far. The judges had orders in their circuits to proceed very gently, and to give new promises in the king's name. But they were treated every where with such contempt, that the common decencies were scarce paid them, when they were on the bench. And they now saw that the presentments of grand juries, and the verdicts of other juries, were no more under their direction. Things

slept in England, as is usual, during the long vacation. But the court had little quiet, having every day fresh alarms from abroad, as well as great mortifications at home.

I must now change the scene, and give a large account of the affairs abroad, they having such a connection with all that followed in England. Upon the elector of Brandenburg's death, the prince sent Mr. Bentinck with the compliment to the new elector; and he was ordered to lay before him the state of affairs, and to communicate the prince's design to him, and to ask him, how much he might depend upon him for his assistance. The answer was full and frank. He offered all that was asked, and more. The prince resolved to carry over to England an army of nine thousand foot, and four thousand horse and dragoons. He intended to choose these out of the whole Dutch army. But for the security of the States, under such a diminution of their force, it was necessary to have a strength from some other princes. This was soon concerted between the prince and the new elector, with the landgrave of Hesse, and the duke of Lunenburg and Zell, who had a particular affection to the prince, and was a cordial friend to him on all occasions.

His brother, the duke of Hanover, was at that time in some engagements with the court of France. But, since he had married the princess Sophia of the Palatine House, I ventured to send a message to her by one of their court, who was then at the Hague. He was a French refugee, named Mr. Boucour. It was to acquaint her with our design with relation to England, and to let her know, that, if we succeeded, certainly a perpetual exclusion of all papists from the succession to the crown would be enacted; and, since she was the next protestant heir after the two princesses, and the prince of Orange, of whom at that time there was no issue alive, I was very confident, that, if the duke of Hanover could be disengaged from the interests of France, so that he came into our interests, the succession to the crown would be lodged in her person, and in her posterity; though on the other hand, if he continued, as he stood then, engaged with France, I could not answer for this. The gentleman carried the message, and delivered it. The duchess entertained it with much warmth, and brought him to the duke to repeat it to him. But at that time this made no great impression on him. He looked on it as a remote and a doubtful project; yet when he saw our success in England, he had other thoughts of it. Some days after this Frenchman was gone, I told the prince what I had done. He approved of it heartily; but was particularly glad, that I had done at, as of myself, without communicating it to him, or any way engaging him in it: for he said, if it should happen to be known that the proposition was made by him, it might do us hurt in England, as if he had already reckoned himself so far master, as to be forming projects concerning the succession to the crown.

But while this was in a secret management, the elector of Cologne's death came in very luckily to give a good colour to intrigues and preparations. The old elector was brother to Maximilian, duke of Bavaria. He had been long bishop, both of Cologne and Liege: he was also elected bishop of Munster: but the pope would never grant his bulls for that see; but he had the temporalities, and that was all he thought on. He had thus a revenue of near four millions of guilders, and four great bishoprics; for he was likewise bishop of Hildesheim. He could arm and pay twenty thousand men, besides that his dominions lay quite round the Netherlands. Munster lay between them and the northern parts of Germany; and from thence their best recruits came. Cologne commanded twenty leagues of the Rhine; by which, as an entrance was opened into Holland, which they had felt severely in the year 1672, so the Spanish Netherlands were entirely cut off from all assistance that might be sent them out of Germany: and Liege was a country full both of people and wealth, by which an entrance is open into Brabant; and if Maestricht was taken, the Maese was open down to Holland. So it was of great importance to the States to take care who should succeed him. The old man was a weak prince, much set on chemical processes, in hopes of the philosopher's stone. He had taken one of the princes of Furstenberg into his particular confidence, and was entirely governed by him. He made him one of the canons of Cologne; and he came to be dean at last. He made him not only his chief minister, but left the nomination of the canons that were preferred by him wholly to his choice. The bishop, and the dean and chapter, name those by turns. So, what by those the elector named on his motion, what by those he got to be chosen, he reckoned he was sure of succeeding the elector; and nothing



but ill management could have prevented it. He had no hopes of succeeding at Munster, but he had taken much pains to secure Liege.

I need not enlarge further on this story than to remember that he got the elector to deliver his country up to the French in the year 1672, and that the treaty opened at Cologne was broken up on his being seized by the emperor's order. After he was set at liberty, he was, upon the recommendation of the court of France, made a cardinal, though with much difficulty. In the former winter, the emperor had been prevailed on by the Palatine family, to consent to the election of a coadjutor in Cologne. - But this was an artifice of the cardinal's, who deceived that family into the hopes of carrying the election for one of their branches. And they obtained the emperor's consent to it, without which it could not be done. But so ill grounded were the Palatine's hopes, that of twenty-five voices the cardinal had nineteen, and they had only six voices.

The contest at Rome about the franchises had now occasioned such a rupture there, that France and Rome seemed to be in a state of war. The count Lavardin was sent ambassador to Rome; but the pope refused to receive him, unless he would renounce the pretension to the franchises. So he entered Rome in a hostile manner, with some troops of horse, though not in form of troops; but the force was too great for the pope. He kept guards about his house, and in the franchises, and affronted the pope's authority on all occasions. The pope bore all silently, but would never admit him to an audience, nor receive any message nor intercession from the court of France; and kept off every thing, in which they concerned themselves; and therefore he would not confirm the election of a coadjutor to Cologne. So, that not being done when the elector died, the canons were to proceed to a new election; the former being void, because not confirmed: for if it had been confirmed, there would have been no vacancy.

The cabal against the cardinal grew so strong, that he began to apprehend he might lose it, if he had not leave from the pope to resign the bishopric of Strasburg, which the French had forced him to accept, only to lessen the pension that they paid him by giving him that bishopric. By the rules of the empire, a man that is already a bishop, cannot be chosen to another see, but by a postulation; and to that it is necessary to have a concurrence of two-thirds of the chapter. But it was at the pope's choice, whether he would accept of the resignation of Strasburg or not; and therefore he refused it. The king of France sent a gentleman to the pope with a letter written in his own hand, desiring him to accept of that resignation, and promising him upon it all reasonable satisfaction; but the pope would not admit the bearer, nor receive the letter. He said, while the French Ambassador lived at Rome like an enemy, that had invaded it, he would receive nothing from that court.

In the bishoprics of Munster and Hildesheim, the deans were promoted, of whom both the States and the princes of the empire were well assured. But a new management was set up at Cologne. The elector of Bavaria had been disgusted at some things in the emperor's court. He complained, that the honour of the success in Hungary was given so entirely to the duke of Lorraine, that he had not the share which belonged to him. The French instruments that were then about him took occasion to alienate him more from the emperor, by representing to him, that, in the management now at Cologne, the emperor shewed more regard to the Palatine family than to himself, after all the service he had done him. The emperor, apprehending the ill consequences of a breach with him, sent and offered him the supreme command of his armies in Hungary for that year, the duke of Lorraine being taken ill of a fever, just as they were upon opening the campaign. He likewise offered him all the voices that the Palatine had made at Cologne, in favour of his brother prince Clement. Upon this they were again reconciled: and the elector of Bavaria commanded the emperor's army in Hungary so successfully, that he took Belgrade by storm after a short siege. Prince Clement was then but seventeen, and was not of the chapter of Cologne; so he was not eligible according to their rules, till he obtained a bull from the pope dispensing with these things. That was easily got. With it the emperor sent one to manage the election in his name, with express instructions to offer the chapter the whole revenue and government of the temporalities for five years, in case they would choose prince Clement, who wanted all that time to be of age. If he could make nine voices sure for him, he was to

stick firm to his interest ; but if he could not gain so many, he was to consent to any person that should be set up in opposition to the cardinal. He was ordered to charge him severely before the chapter, as one that had been for many years an enemy and traitor to the empire. This was done with all possible aggravations, and in very injurious words.

The chapter saw that this election was likely to be attended with a war in their country, and other dismal consequences ; for the cardinal was chosen by the chapter vicar, or guardian of the temporalities : and he had put garrisons in all their fortified places, that were paid with French money : and they knew he would put them all in the king of France's hands, if he was not elected. They had promised not to vote in favour of the Bavarian prince ; so they offered to the emperor's agent to consent to any third person. But ten voices were made sure to prince Clement ; so he was fixed to his interests. At the election, the cardinal had fourteen voices, and prince Clement had ten. By this means the cardinal's postulation was defective, since he had not two-thirds. And upon that, prince Clement's election was first judged good by the emperor, as to the temporalities ; but was transmitted by him to Rome, where a congregation of cardinals examined it ; and it was judged in favour of prince Clement. The cardinal succeeded worse at Liege, where the dean was without any difficulty chosen bishop ; and nothing but the cardinal's purple saved him from the violences of the people at Liege. He met with all sorts of injurious usage, being hated there, both on the account of his depending so much on the protection of France, and for the effects they had felt of his violent and cruel ministry under the old elector. I will add one circumstance in honour of some of the canons of Liege. They not only would accept of no presents from those whom the States appointed to assist in managing that election before it was made ; but they refused them after the election was over. This I saw in the letter that the States deputy wrote to the Hague.

I have given a more particular account of this matter, because I was acquainted with all the steps that were made in it. And it had such an immediate relation to the peace and safety of Holland, that, if they had miscarried in it, the expedition designed for England would not have been so safe, nor could it have been proposed easily in the States. By this it appeared, what an influence the papacy, low as it is, may still have in matters of the greatest consequence. The foolish pride of the French court, which had affronted the pope in a point in which, since they allowed him to be the prince of Rome, he certainly could lay down such rules as he thought fit, did now defeat a design that they had been long driving at, and which could not have miscarried by any other means than those that they had found out. Such great events may and do often rise from inconsiderable beginnings. These things furnished the prince with a good blind for covering all his preparations ; since here a war in their neighbourhood was unavoidable, and it was necessary to strengthen both their alliances and their troops. For it was visible to all the world, that, if the French could have fixed themselves in the territory of Cologne, the way was open to enter Holland, or to seize on Flanders, when that king pleased ; and he would have the four electors on the Rhine at mercy. It was necessary to dislodge them, and this could not be done without a war with France. The prince got the States to settle a fund for nine thousand seamen, to be constantly in their service : and orders were given to put the naval preparations in such a case, that they might be ready to put to sea upon orders. Thus things went on in July and August, with so much secrecy and so little suspicion, that neither the court of England nor the court of France seemed to be alarmed at them.

In July, admiral Herbert came over to Holland, and was received with a particular regard to his pride and ill humour : for he was upon every occasion so sullen and peevish, that it was plain he set a high value on himself, and expected the same of all others. He had got his accounts passed, in which he complained that the king had used him not only hardly, but unjustly. He was a man delivered up to pride and luxury ; yet he had a good understanding ; and he had gained so great a reputation by his steady behaviour in England, that the prince understood that it was expected he should use him in the manner he himself should desire ; in which it was not very easy for him to constrain himself so far as that required. The managing him was in a great measure put on me ; and it was no easy thing. It made me often reflect on the providence of God, that makes some men instruments in

great things, to which they themselves have no sort of affection or disposition ; for his private quarrel with the lord Dartmouth, who he thought had more of the king's confidence than he himself had, was believed the root of all the sullenness he fell into towards the king, and of all the firmness that grew out of that.

I now return to England, to give an account of a secret management there. The lord Mordaunt was the first of all the English nobility that came over openly, to see the prince of Orange. He asked the king's leave to do it. He was a man of much heat, many notions, and full of discourse ; he was brave and generous, but had not true judgment : his thoughts were crude and indigested, and his secrets were soon known. He was with the prince in the year 1686 ; and then he pressed him to undertake the business of England : and he represented the matter as so easy, that this appeared too romantic to the prince to build upon it. He only promised in general, that he should have an eye on the affairs of England ; and should endeavour to put the affairs of Holland in so good a posture as to be ready to act when it should be necessary : and he assured him, that, if the king should go about either to change the established religion, or to wrong the princess in her right, or to raise forged plots to destroy his friends, that he would try what he could possibly do. Next year a man of a far different temper came over to him \*.

The earl of Shrewsbury : he had been bred a papist, but had forsaken that religion, upon a very critical and anxious enquiry into matters of controversy. Some thought, that, though he had forsaken popery, he was too sceptical, and too little fixed in the points of religion. He seemed to be a man of great probity, and to have a high sense of honour. He had no ordinary measure of learning, a correct judgment, with a sweetness of temper that charmed all who knew him. He had at that time just notions of government, and so great a command of himself, that, during all the time that he continued in the ministry, I never heard any one complaint of him, but for his silent and reserved answers, with which his friends were not always well pleased. His modest deportment gave him such an interest in the prince, that he never seemed so fond of any of his ministers, as he was of him. He

\* Noble gives the following spirited sketch of this distinguished peer. Charles Mordaunt, third earl of Peterborough, and first of Monmouth, was one of the strangest compounds that nature, in her most sportive moments, ever produced. Of great ancestry, a peer by creation, as well as, afterwards, by descent ; yet, in his youth, he seemed to disregard decency, and the greatest of all moral obligations. Justice, indeed, ought to have claimed him, as a shedder of human blood. Graceful and elegant in his manners and person, and a favourite with the Muses, he seemed emulous to mix only with the rough, and then untutored, brave tars of the ocean. Leaving the naval service, he charmed the senate with his oratory. Disgusted with James the Second's government, he obtained a command of part of the Dutch fleet ; but William the Third brought him back to England, where he became a military officer, yet a councillor to his majesty. Under Anne he was a conqueror ; and Spain would have been transferred from the Bourbon to the Austrian family, if Charles had attended as much to fighting as to bull-feasting. Never was a braver or more skilful general. An adept in the illusions of perspective, he imposed upon the enemy as to the numbers under his command ; even his gallantries aided his plans. He astonished the proud Spaniards ; the patient Germans ; even the sprightly French saw themselves excelled in courage, celerity, and stratagem. The parliament thanked him, but, imitating his fickleness, withdrew their favour. Even at home, his pen vindicated his sword ; and at the change of the queen's ministry, he blazed forth a knight of the garter, and as negotiator in all the Italian courts. Restless and alert, on the continent, or in England, he was ever on the wing : " he saw more kings and postillions than any man in Europe." This quarter of the globe seemed too confined for his pastimes. He asked for a commission as captain-

general of our forces in North America ; but Marlborough, his enemy and rival, thwarted him. Under the two first Georges he became a conspicuous Whig ; was continued by them lord-lieutenant of Northamptonshire, and made general of our marine forces. In these reigns he employed his time more as a wit than as a politician ; caprice dictated, and inclination followed. He was insufferably haughty, and loved popularity. A correspondent of Pope and Swift, and gifted in all that learning and genius could bestow ; yet he delighted to declaim in coffee-houses, where the stupid stare of astonishment was all his reward. Living on the borders of parsimony, yet he was always in debt. They who blamed could not but admire him : even the cynic Swift, after remarking that at sixty he was more spirited than the young, adds, " I love the lang-dog dearly." An avowed atheist, he gained the admiration of revealed religion's friends. He was like no other human being, yet all human beings admired his sense, his wit, and his courage : this was so marked that he was said to be without fear ; but he replied—" No, I am not ; only I never saw occasion to fear." He died at Lisbon, aged seventy-seven, in the year 1735. His first wife was a daughter of sir Alexander Frazer ; whilst a widower the earl became deeply enamoured with the accomplished Anastasia Robinson, the daughter of an artist. She was an opera singer, and a teacher of music and Italian, to support an aged parent ; yet she rejected all the earl's advances towards an illicit connection. He married her privately, and concealed his union until 1735, and then proclaimed it like no other husband. He went one evening to the rooms at Bath, where a servant was ordered distinctly and audibly to announce " *Lady Peterborough's carriage waits.*" Every lady of rank and fashion rose and congratulated the declared countess.—Continuation of Granger.



had only in general laid the state of affairs before the prince, without pressing him too much \*.

But Russel † coming over in May brought the matter nearer a point. He was a cousin german to lord Russel. He had been bred at sea, and was bedchamber-man to the king, when he was duke of York ; but, upon the lord Russel's death, he retired from the court. He was a man of much honour, and great courage. He had good principles, and was firm to them. The prince spoke more positively to him than he had ever done before. He said, he must satisfy both his honour and conscience, before he could enter upon so great a design, which, if it miscarried, must bring ruin both on England and Holland : he protested, that no private ambition, nor resentment, of his own could ever prevail so far with him, as to make him break with so near a relation, or engage in a war, of which the consequences must be of the last importance, both to the interests of Europe, and of the protestant religion ; therefore he expected formal and direct invitations. Russel laid before him the danger of trusting such a secret to great numbers. The prince said, if a considerable number of men, that might be supposed to understand the sense of the nation best, should do it, he would acquiesce in it.

Russel told me, that, upon his return to England, he communicated the matter, first to the earl of Shrewsbury, and then to the lord Lumley, who was a late convert from popery, and had stood out very firmly all this reign. He was a man who laid his interest much to heart : and he resolved to embark deeply in this design.

But the man in whose hands the conduct of the whole design was chiefly deposited by the prince's own order, was Mr. Sidney, brother to the earl of Leicester and to Algernon Sidney. He was a graceful man, and had lived long in the court, where he had some adventures that became very public. He was a man of a sweet and caressing temper, had no malice in his heart, but too great a love of pleasure. He had been sent envoy to Holland in the year 1679, where he entered into such particular confidences with the prince, that he had the highest measure of his trust and favour, that any Englishman ever had. This was well known over England ; so that all who desired to recommend themselves to the prince did it through his hands. He was so apprehensive of the dangers this might cast him in, that he travelled almost a year round Italy. But now matters ripened faster ; so all centred in him. But, because he was lazy, and the business required an active man, who could both run about, and write over long and full accounts of all matters, I recommended a kinsman of my own, Johnston, whom I had formed, and knew to be both faithful and diligent, and very fit for the employment he was now trusted with ‡.

Sidney tried the marquis of Halifax, if he would advise the prince's coming over ; but, as this matter was opened to him at a great distance, he did not encourage a further freedom. He looked on the thing as impracticable ; it depended on so many accidents, that he thought it was a rash and desperate project, that ventured all upon such a dangerous issue, as might turn on seas and winds. It was next opened to the earl of Danby : and he not only went in heartily to it himself, but drew in the bishop of London (Dr. Compton) to join in it. By their advice it was proposed to the earl of Nottingham, who had great credit with the whole church party ; for he was a man possessed with their notions, and was grave and virtuous in the course of his life. He had some knowledge of the law, and of the records of parlia-

\* Charles Talbot, afterwards duke of Shrewsbury, embraced the protestant religion, with many other distinguished persons, at the time of the popish plot. With his religion he changed his politics, and this godson of Charles the Second then became the opponent of arbitrary power. He lent William the Third 40,000*l.*, who in return made him a privy councillor, a lord justice, principal secretary of state, adding a dukedom and the garter. The king used to describe him as "the only man of whom the Whigs and Tories both spoke well." At the time of queen Anne's death he was lord lieutenant of Ireland, lord high treasurer, and lord chamberlain ; important employments that never were before united in the same possession. George the First continued to employ him in many high offices. He died, aged fifty-eight, in 1718.

His death is said to have been caused by his wife, Adelaide, daughter of the marquis de Palliotti, an Italian, who proved a domestic tyrant, and the plague of his life. Lord Dartmouth says, that if queen Mary had outlived the king (William) she would certainly have married the duke, and that she was always agitated extremely when he came into her presence. A very full memoir of this nobleman, and of the political changes in which he was engaged, will be found in archdeacon Coxe's "Shrewsbury Correspondence."

† This was Edward Russel, so distinguished afterwards as the victor at La Hogue, and better known as the earl of Orford. He will be mentioned in future pages.

‡ He was a son of lord Wariston, before mentioned. Afterwards he became secretary of state for Scotland.

ment, and was a copious speaker, but too florid and tedious. He was much admired by many. He had stood at a great distance from the court all this reign; for, though his name was still among the privy councillors, yet he never went to the board. He upon the first proposition entertained it, and agreed to it; but at their next meeting he said, he had considered better of that matter: his conscience was so restrained in those points, that he could not go further with them in it: he said, he had talked with some divines, and named Tillotson and Stillingfleet, in general of the thing; and they were not satisfied with it; (though they protested to me afterwards, that they remembered no such thing.) He confessed he should not have suffered them to go so far with him in such a secret, till he had examined it better: they had now, according to Italian notions, a right to murder him; but, though his principles restrained him, so that he could not go on with them, his affections would make him to wish well to them, and be so far a criminal as concealment could make him one. The earl of Devonshire was spoken to; and he went into it with great resolution. It was next proposed to three of the chief officers of the army, Trelawny, Kirk, and the lord Churchill. These went all into it: and Trelawny engaged his brother, the bishop of Bristol, into it.

But, having now named the lord Churchill \*, who is likely to be mentioned often by me in the sequel of this work, I will say a little more of him. He was a man of a noble and graceful appearance, bred up in the court with no literature; but he had a solid and clear understanding, with a constant presence of mind. He knew the arts of living in a court beyond any man in it. He caressed all people with a soft and obliging deportment, and was always ready to do good offices. He had no fortune to set up on: this put him on all the methods of acquiring one. And that went so far into him, that he did not shake it off when he was in a much higher elevation: nor was his expense suited enough to his posts; but, when allowances are made for that, it must be acknowledged, that he is one of the greatest men the age has produced. He was in high favour with the king; but his lady † was much more in princess Anne's favour. She had an ascendant over her in every thing. She was a woman of little knowledge, but of a clear apprehension, and a true judgment, a warm and hearty friend, violent and sudden in her resolutions, and impetuous in her way of speaking. She was thought proud and insolent on her favour, though she used none of the common arts of a court to maintain it; for she did not beset the princess, nor flatter her. She stayed much at home, and looked very carefully after the education of her children. Having thus opened both their characters, I will now give an account of this lord's engagements in this matter; for which he has been so severely censured, as guilty both of ingratitude and treachery, to a very kind, and liberal, master. He never discovered any of the king's secrets; nor did he ever push him on to any violent proceedings: so that he was in no contrivance to ruin, or betray, him. On the contrary, whensoever he spoke to the king of his affairs, which he did but seldom, because he could not fall in with the king's notions, he always suggested moderate counsels. The earl of Galway told me, that when he came over with the first compliment upon the king's coming to the crown, he said then to him, that, if the king was ever prevailed on to alter our religion, he would serve him no longer, but withdraw from him; so early was this resolution fixed in him. When he saw how the king was set, he could not be contented to see all ruined by him. He was also very doubtful as to the pretended birth. So he resolved, when the prince should come over, to go in to him; but to betray no post, nor do any thing more than the withdrawing himself, with such officers as he could trust with such a secret. He also undertook, that prince George and the princess Anne would leave the court, and come to the prince, as soon as was possible.

With these invitations, and letters, the earl of Shrewsbury, and Russel, came over in September; and soon after them came Sidney with Johnston. And they brought over a

\* This was afterwards the celebrated duke of Marlborough.

† Subsequently so celebrated as the court favourite, Sarah, duchess of Marlborough. This intriguing peeress was introduced to queen Anne by Mrs. Cornwallis, a papist, and finding that if her introductress could be

removed, she should herself become prime favourite, she obtained her removal by the aid of bishop Compton, who suggested at the council that it was dangerous for a papist to be so intimate with the princess.—Earl of Dartmouth in Oxford ed. of this work.

full scheme of advices, together with the heads of a declaration, all which were chiefly penned by lord Danby. He, and the earl of Devonshire, and the lord Lumley, undertook for the north: and they all dispersed themselves into their several countries, and among their friends. The thing was in the hands of many thousands, who yet were so true to one another, that none of them made any discovery, no not by their rashness; though they were so confident, that they did not use so discreet a conduct as was necessary. Matters went on in Holland with great secrecy till September. Then it was known, that many arms were bespoken; and, though those were bargained for in the name of the king of Sweden, and of some of the princes of Germany, yet there was ground enough for suspicion. All those that were trusted proved both faithful, and discreet. And here an eminent difference appeared between the hearty concurrence of those who went into a design upon principles of religion, and honour, and the forced compliance of mercenary soldiers, or corrupt ministers, which is neither cordial nor secret. France took the alarm first, and gave it to the court of England.

D'Avaux, the French ambassador, could no more give the court of France those advertisements that he was wont to send of all that passed in Holland. He had great allowances for entertaining agents, and spies, every where. But Louvois, who hated him, suggested that there was no more need of these; so they were stopped: and the ambassador was not sorry, that the court felt their error so sensibly. The king published the advertisements he had from France a little too rashly; for all people were much animated when they heard it from such a hand. The king soon saw his error; and, to correct it, he said on many occasions, that whatever the designs of the Dutch might be, he was sure they were not against him. It was given out sometimes, that they were against France, and then that they were against Denmark: yet the king shewed he was not without his fears; for he ordered fourteen more ships to be put to sea, with many fire-ships. He recalled Strickland, and gave the command to the lord Dartmouth; who was indeed one of the worthiest men of his court: he loved him, and had been long in his service, and in his confidence; but he was much against all the conduct of his affairs: yet he resolved to stick to him at all hazards. The seamen came in slowly; and a heavy backwardness appeared in every thing.

A new and unlooked-for accident gave the king a very sensible trouble. It was resolved, as was told before, to model the army, and to begin with recruits from Ireland. Upon which the English army would have become insensibly an Irish one. The king made the first trial on the duke of Berwick's regiment, which being already under an illegal colonel, it might be supposed they were ready to submit to every thing. Five Irishmen were ordered to be put into every company of that regiment, which then lay at Portsmouth; but Beaumont, the lieutenant-colonel, and five of the captains, refused to receive them. They said, they had raised their men upon the duke of Monmouth's invasion, by which their zeal for the king's service did evidently appear. If the king would order any recruits, they doubted not, but that they should be able to make them: but they found it would give such an universal discontent, if they should receive the Irish among them, that it would put them out of a capacity of serving the king any more. But as the order was positive, so the duke of Berwick was sent down to see it obeyed. Upon which they desired leave to lay down their commissions. The king was provoked by this to such a degree, that he could not govern his passion. The officers were put in arrest, and brought before a council of war, where they were broken with reproach, and declared incapable to serve the king any more. But upon this occasion, the whole officers of the army declared so great an unwillingness to mix with those of another nation and religion, that, as no more attempts were made of this kind, so it was believed that this fixed the king in a point, that was then under debate.

The king of France, when he gave the king the advertisements of the preparations in Holland, offered him such a force as he should call for. Twelve, or fifteen, thousand were named, or as many more as he should desire. It was proposed, that they should land at Portsmouth, and that they should have that place to keep the communication with France open, and in their hands. All the priests were for this; so were most of the popish lords. The earl of Sunderland was the only man in credit that opposed it. He said, the offer of an army of forty thousand men might be a real strength; but then it would depend on the orders that came from France: they might perhaps master England; but they would become the king's



masters at the same time ; so that he must govern under such orders as they should give ; and thus he would quickly become only a viceroy to the king of France : any army less than that would lose the king the affections of his people, and drive his own army to desertion, if not to mutiny.

The king did not think matters were yet so near a crisis ; so he did neither entertain the proposition, nor let it fall quite to the ground. There was a treaty set on foot, and the king was to have an hundred merchant ships, ready for the transportation of such forces as he should desire, which it was promised should be ready when called for. It is certain, that the French ambassador, then at London, who knew the court better than he did the nation, did believe, that the king would have been able to have made a greater division of the nation, than it proved afterwards he was able to do. He believed it would have gone to a civil war ; and that then the king would have been forced to have taken assistance from France on any terms ; and so he encouraged the king of France to go on with his designs that winter, and he believed he might come in good time next year to the king's assistance. These advices proved fatal to the king, and to Barillon himself ; for, when he was sent over to France, he was so ill looked on, that it was believed it had an ill effect on his health ; for he died soon after.

Albeville came over fully persuaded that the Dutch designed the expedition against England, but played the minister so, that he took pains to infuse into all people that they designed no such thing ; which made him to be generally laughed at. He was soon sent back ; and, in a memorial he gave into the States, he asked, what was the design of those great and surprising preparations at such a season. The States, according to their slow forms, let this lie long before them, without giving it an answer.

But the court of France made a greater step. The French ambassador in a memorial told the States, that his master understood their design was against England, and in that case he signified to them, that there was such a strait alliance between him and the king of England, that he would look on every thing done against England, as an invasion of his own crown. This put the king and his ministers much out of countenance : for, upon some surmises of an alliance with France, they had very positively denied there was any such thing. Albeville did continue to deny it at the Hague, even after the memorial was put in. The king did likewise deny it to the Dutch ambassador at London. And the blame of the putting it into the memorial was cast on Skelton, the king's envoy at Paris, who was disowned in it, and upon his coming over was put in the Tower for it. This was a short disgrace ; for he was soon after made lieutenant of the Tower. His rash folly might have procured the order from the court of France, to own this alliance : he thought it would terrify the States, and so he pressed this officiously, which they easily granted. That related only to the owning it in so public a manner. But this did clearly prove, that such an alliance was made ; otherwise no instances, how pressing soever, would have prevailed with the court of France to have owned it in so solemn a manner : for what ambassadors say in their master's name, when they are not immediately disowned, passes for authentic : so that it was a vain cavil that some made afterwards, when they asked, how was this alliance proved ? The memorial was a full proof of it ; and the shew of a disgrace on Skelton did not at all weaken that proof.

But I was more confirmed of this matter by what sir William Trumball, then the English ambassador at Constantinople, told me at his return to England. He was the most eminent of all our civilians, and was by much the best pleader in those courts, and was a learned, a diligent, and a virtuous man. He was sent envoy to Paris upon the lord Preston's being recalled. He was there when the edict that repealed the edict of Nantes was passed, and saw the violence of the persecution, and acted a great and worthy part in harbouring many, in covering their effects, and in conveying over their jewels and plate to England ; which disgusted the court of France, and was not very acceptable to the court of England, though it was not then thought fit to disown or recall him for it \*. He had orders to put in memo-

\* Sir William Trumball, the friend of Dryden and the early patron of Pope, is another instance that poverty is ever an excitement favourable to the development of excellence. Straitened in his means when commencing life, he laboured with a diligence in his profession as a civilian that insured success. He was sent from the

rials, complaining of the invasion of the principality of Orange ; which he did in so high a strain, that the last of them was like a denunciation of war. From thence he was sent to Turkey. And, about this time, he was surprised one morning by a visit that the French ambassador made him, without those ceremonies that pass between ambassadors. He told him, there was no ceremony to be between them any more, for their masters were now one. And he shewed him Monsieur de Croissy's letter, which was written in cipher. The deciphering he read to him, importing, that now an alliance was concluded between the two kings. So, this matter was as evidently proved, as a thing of such a nature could possibly be.

The conduct of France at that time with relation to the States was very unaccountable, and proved as favourable to the prince of Orange's designs, as if he had directed it. All the manufacture of Holland, both linen and woollen, was prohibited in France. The importation of herrings was also prohibited, except they were cured with French salt. This was contrary to the treaty of commerce. The manufacture began to suffer much ; and this was sensible to those who were concerned in the herring trade. So the States prohibited the importing of French wine, or brandy, till the trade should be set free again on both sides. There was nothing that the prince had more reason to apprehend, than that the French should have given the States some satisfaction in the point of trade, and offered some assurances with relation to the territory of Cologne. Many of the towns of Holland might have been wrought on by some temper in these things ; great bodies being easily deceived, and not easily drawn into wars, which interrupt that trade which they subsist by. But the height the court of France was then in, made them despise all the world. They seemed rather to wish for a war, than to fear it. This disposed the States to an unanimous concurrence in the great resolutions that were now agreed on, of raising ten thousand men more, and of accepting thirteen thousand Germans, for whom the prince had, as was formerly mentioned, agreed with some of the princes of the empire. Amsterdam was at first cold in the matter ; but they consented with the rest. Reports were given out that the French would settle a regulation of commerce, and that they would abandon the cardinal, and leave the affairs of Cologne to be settled by the laws of the empire. Expedients were also spoken of for accommodating the matter, by prince Clement's being admitted coadjutor, and by his having some of the strong places put in his hands. This was only given out to amuse.

But while these things were discoursed of at the Hague, the world was surprised with a manifesto set out, in the king of France's name, against the emperor. In it the emperor's ill designs against France were set forth. It also complained of the elector Palatine's injustice to the duchess of Orleans, in not giving her the succession that fell to her by her brother's death, which consisted in some lands, cannon, furniture, and other moveable goods. It also charged him with the disturbances in Cologne, he having intended first to gain that to one of his own sons, and then engaging the Bavarian prince into it ; whose elder brother having no children, he hoped, by bringing him into an ecclesiastical state, to make the succession of Bavaria fall into his own family. It charged the emperor, likewise, with a design to force the electors to choose his son king of the Romans ; and that the elector Palatine was pressing him to make peace with the Turks, in order to the turning his arms against France. By their means a great alliance was projected among many protestant princes to disturb cardinal Furstemberg in the possession of Cologne, to which he was postulated by the majority of the chapter. And this might turn to the prejudice of the catholic religion in that territory. Upon all these considerations, the king of France, seeing that his enemies could not enter into France by any other way but by that of Philipsburg, resolved to possess himself of it, and then to demolish it. He resolved also to take Kaiserslauter from the Palatine, and to keep it, till the duchess of Orleans had justice done her in her pretensions ; and he also resolved to support the cardinal in his possession of Cologne. But, to balance this, he offered to the house of Bavaria, that prince Clement should be chosen coadjutor. He offered also to raise

court of France to that of Turkey in 1687. William the Third continued him in this appointment, and then made him a commissioner of the navy, privy councillor, and secretary of state. He represented Oxford university in parliament during 1695. He retired from public life to East Hamsted, in Berkshire, and, devoting his leisure to

literature, continued there until his death, which occurred in 1716, when he was seventy eight. His letters are to be found among those of Pope and others. He also wrote a life of archbishop Dolben. — Gen. Biog. Dictionary ; Noble's Continuation of Grainger.

Fribourg, and to restore Kaiserslauter, as soon as the elector Palatine should pay the duchess of Orleans the just value of her pretensions. He demanded, that the truce between him and the empire should be turned into a peace. He proposed that the king of England and the republic of Venice should be the mediators of this peace. And he concluded all, declaring that he would not bind himself to stand to the conditions now offered by him, unless they were accepted before January.

I have given a full abstract of this manifesto : for upon it did the great war begin, which lasted till the peace of Ryswick. And, upon the grounds laid down in this manifesto, it will evidently appear whether the war was a just one or not. This declaration was much censured, both for the matter and for the style. It had not the air of greatness which became crowned heads. The duchess of Orleans's pretensions to old furniture was a strange rise to a war ; especially when it was not alleged that these had been demanded in the forms of law, and that justice had been denied, which was a course necessarily to be observed in things of that nature. The judging of the secret intentions of the elector palatine with relation to the house of Bavaria was absurd. And the complaints of designs to bring the emperor to a peace with the Turks, that so he might make war on France, and of the emperor's design to force an election of a king of the Romans, was the entering into the secrets of those thoughts which were only known to God. Such conjectures, so remote and uncertain, and that could not be proved, were a strange ground of war. If this was once admitted, all treaties of peace were vain things, and were no more to be reckoned or relied on. The reason given of the intention to take Philipsburg, because it was the most proper place by which France could be invaded, was a throwing off all regards to the common decencies observed by princes. All fortified places on frontiers are intended both for resistance, and for magazines ; and are of both sides conveniences for entering into the neighbouring territory, as there is occasion for it. So here was a pretence set up, of beginning a war, that puts an end to all the securities of peace.

The business of Cologne was judged by the pope, according to the laws of the empire : and his sentence was final : nor could the postulation of the majority of the chapter be valid, unless two-thirds joined in it. The cardinal was commended in the manifesto for his care in preserving the peace of Europe. This was ridiculous to all, who knew that he had been for many years the great incendiary, who had betrayed the empire, chiefly in the year 1672. The charge that the emperor's agent had laid on him before the chapter was also complained of, as an infraction of the amnesty stipulated by the peace of Nimeguen. He was not indeed to be called to an account, in order to be punished for anything done before that peace. But that did not bind up the emperor from endeavouring to exclude him from so great a dignity, which was likely to prove fatal to the empire. These were some of the censures that passed on this manifesto ; which was indeed looked on, by all who had considered the rights of peace and the laws of war, as one of the most avowed and solemn declarations that ever was made of the perfidiousness of that court. And it was thought to be some degrees beyond that in the year 1672, in which that king's glory was pretended as the chief motive of that war. For, in that, particulars were not reckoned up : so it might be supposed he had met with affronts, which he did not think consistent with his greatness to be mentioned. But here all that could be thought on, even the hangings of Heidelberg, were enumerated : and all together amounted to this, that the king of France thought himself tied by no peace ; but that, when he suspected his neighbours were intending to make war upon him, he might upon such a suspicion begin a war on his part.

This manifesto against the emperor was followed by another against the pope, written in the form a letter to cardinal D'Estrées, to be given by him to the pope. In it he reckoned all the partiality that the pope had shown during his whole pontificate, both against France and in favour of the house of Austria. He mentioned the business of the regale ; his refusing the bulls to the bishops nominated by him ; the dispute about the franchises, of which his ambassadors had been long in possession ; the denying audience, not only to his ambassador, but to a gentleman whom he had sent to Rome without a character, and with a letter written in his own hand. In conclusion, he complained of the pope's breaking the canons of the church, in granting bulls in favour of prince Clement, and in denying justice to car-



dinal Furstemberg. For all these reasons the king was resolved to separate the character of the most holy father from that of a temporal prince: and therefore he intended to seize on Avignon, as likewise on Castro, until the pope should satisfy the pretensions of the duke of Parma. He complained of the pope's not concurring with him in the concerns of the church for the extirpation of heresy: in which the pope's behaviour gave great scandal both to the old catholics, and to the new converts. It also gave the prince of Orange the boldness to go and invade the king of England, under the pretence of supporting the protestant religion, but indeed to destroy the catholic religion, and to overturn the government: upon which his emissaries and the writers in Holland gave out that the birth of the prince of Wales was an imposture.

This was the first public mention that was made of the imposture of that birth: for the author of a book, written to that purpose, was punished for it in Holland. It was strange to see the disputes about the franchises made a pretence for a war: for certainly all sovereign princes can make such regulations as they think fit in those matters. If they cut ambassadors short in any privilege, their ambassadors are to expect the same treatment from other princes: and as long as the sacredness of an ambassador's person, and of his family, was still preserved, which was all that was a part of the law of nations, princes may certainly limit the extent of their other privileges, and may refuse any ambassadors who will not submit to their regulation. The number of an ambassador's retinue is not a thing that can be well defined: but if an ambassador comes with an army about him, instead of a retinue, he may be denied admittance. And if he forces it, as Lavardin had done, it was certainly an act of hostility: and, instead of having a right to the character of an ambassador, he might well be considered and treated as an enemy.

The pope had observed the canons in rejecting cardinal Furstemberg's defective postulation. And, whatever might be brought from ancient canons, the practice of that church for many ages, allowed of the dispensations that the pope granted to prince Clement. It was looked on by all people as a strange reverse of things, to see the king of France, after all his cruelty to the protestants, now go to make war on the pope; and on the other hand, to see the whole protestant body concurring to support the authority of the pope's bulls in the business of Cologne; and to defend the two houses of Austria and Bavaria, by whom they were laid so low but threescore years before this. The French, by the war that they had now begun, had sent their troops towards Germany and the Upper Rhine; and so had rendered their sending an army over to England impracticable: nor could they send such a force into the bishopric of Cologne, as could any ways alarm the States. So that the invasion of Germany made the designs, that the prince of Orange was engaged in, both practicable and safe.

Marshal Schomberg came at this time into the country of Cleves. He was a German by birth: so when the persecution was begun in France, he desired leave to return into his own country. That was denied him. All the favour he could obtain was leave to go to Portugal. And so cruel is the spirit of popery, that, though he had preserved that kingdom from falling under the yoke of Castile, yet now that he came thither for refuge, the inquisition represented that matter of giving harbour to a heretic so odiously to the king, that he was forced to send him away. He came from thence first to England, and then he passed through Holland, where he entered into a particular confidence with the prince of Orange. And being invited by the old elector of Brandenburg, he went to Berlin: where he was made governor of Prussia, and set at the head of all the elector's armies. The son treated him now with the same regard that the father had for him: and sent him to Cleves, to command the troops that were sent from the empire to the defence of Cologne. The cardinal offered a neutrality to the town of Cologne. But they chose rather to accept a garrison that Schomberg sent them: by which not only that town was secured, but a stop was put to any progress the French could make, till they could get that great town into their hands. By these means the States were safe on all hands for this winter: and this gave the prince of Orange great quiet in prosecuting his designs upon England. He had often said, that he would never give occasion to any of his enemies to say that he had carried away the best force of the States, and had left them exposed to any impressions that might be made on

them in his absence. He had now reason to conclude that he had no other risk to run in his intended expedition, but that of the seas and the weather. The seas were then very boisterous : and the season of the year was so far spent, that he saw he was to have a campaign in winter. But all other things were now well secured by this unexpected conduct of the French.

There was a fleet now set to sea of about fifty sail. Most of them were third or fourth rates, commanded by Dutch officers. But Herbert, as representing the prince's person, was to command in chief, as lieutenant-general-admiral. This was not very easy to the States, nor indeed to the prince himself ; who thought it an absurd thing to set a stranger at the head of their fleet. Nothing less would content Herbert. And it was said, that nothing would probably make the English fleet come over and join with the prince, so much as the seeing one that had lately commanded them at the head of the Dutch fleet. There was a transport fleet hired for carrying over the army. And this grew to be about five hundred vessels : for, though the horse and dragoons in pay were not four thousand, yet the horses for officers and volunteers, and for artillery and baggage, were above seven thousand. There were arms provided for twenty thousand more. And, as things were thus made ready,

The declaration that the prince was to publish came to be considered. A great many draughts were sent from England by different hands. All these were put in the pensioner Fagel's hands, who upon that made a long and heavy draught, founded on the grounds of the civil law, and of the law of nations. That was brought to me to be put in English. I saw he was fond of his own draught : and the prince left that matter wholly to him : yet I got it to be much shortened, though it was still too long. It set forth at first a long recital of all the violations of the laws of England, both with relation to religion, to the civil government, and to the administration of justice, which have been all opened in the series of the history. It set forth next all remedies that had been tried in a gentler way ; all which had been ineffectual. Petitioning by the greatest persons, and in the most private manner, was made a crime. Endeavours were used to pack a parliament, and to pre-engage both the votes of the electors and the votes of such as upon the election should be returned to sit in parliament. The writs were to be addressed to unlawful officers, who were disabled by law to execute them : so that no legal parliament could now be brought together. In conclusion, the reasons of suspecting the queen's pretended delivery were set forth in general terms. Upon these grounds the prince, seeing how little hope was left of succeeding in any other method, and being sensible of the ruin both of the protestant religion, and of the constitution of England and Ireland, that was imminent, and being earnestly invited by men of all ranks, and in particular by many of the peers, both spiritual and temporal, he resolved, according to the obligation he lay under, both on the princess's account and on his own, to go over into England, and to see for proper and effectual remedies for redressing such growing evils, in a parliament that should be lawfully chosen, and should sit in full freedom, according to the ancient custom and constitution of England, with which he would concur in all things that might tend to the peace and happiness of the nation. And he promised in particular, that he would preserve the church and the established religion, and that he would endeavour to unite all such as divided from the church to it, by the best means that could be thought on, and that he would suffer such as would live peaceably to enjoy all due freedom in their consciences, and that he would refer the enquiry into the queen's delivery to a parliament, and acquiesce in its decision. This the prince signed and sealed on the tenth of October. With this the prince ordered letters to be written in his name, inviting both the soldiers, seamen, and others to come and join with him, in order to the securing their religion, laws, and liberties. Another short paper was drawn by me concerning the measures of obedience, justifying the design, and answering the objections that might be made to it. Of all these, many thousand copies were printed, to be dispersed at our landing.

The prince desired me to go along with him as his chaplain, to which I very readily agreed : for, being fully satisfied in my conscience that the undertaking was lawful, and just, and having had a considerable hand in advising the whole progress of it, I thought it would have been an unbecoming fear in me to have taken care of my own person, when the prince was venturing his, and the whole was now to be put to hazard. It is true I, being a Scotchman by birth, had reason to expect that, if I had fallen into the enemies' hands, I should

have been sent to Scotland, and put to the torture there. And, having this in prospect, I took care to know no particulars of any of those who corresponded with the prince. So that knowing nothing against any, even torture itself could not have drawn from me that, by which any person could be hurt. There was another declaration prepared for Scotland. But I had no other share in that, but that I corrected it in several places, chiefly in that which related to the church: for the Scots at the Hague, who were all presbyterians, had drawn it so, that, by many passages in it, the prince by an implication declared in favour of presbytery. He did not see what the consequences of those were till I explained them. So he ordered them to be altered. And by the declaration that matter was still entire.

As Sidney brought over letters from the persons formerly mentioned, both inviting the prince to come over to save and rescue the nation from ruin, and assuring him that they wrote that which was the universal sense of all the wise and good men in the nation: so they also sent over with him a scheme of advices. They advised his having a great fleet, but a small army: they thought it should not exceed six or seven thousand men. They apprehended, that an ill-use might be made of it, if he brought over too great an army of foreigners, to infuse into people a jealousy that he designed a conquest: they advised his landing in the North, either in Burlington Bay, or a little below Hull: Yorkshire abounded in horse: and the gentry were generally well affected, even to zeal, for the design: the country was plentiful, and the roads were good till within fifty miles of London. The earl of Danby was earnest for this, hoping to have had a share in the whole management, by the interest he believed he had in that country. It was confessed, that the western counties were well affected: but it was said, that the miscarriage of Monmouth's invasion, and the executions which followed it, had so dispirited them, that it could not be expected they would be forward to join the prince: above all things they pressed dispatch, and all possible haste: the king had then but eighteen ships riding in the Downs: but a much greater fleet was almost ready to come out: they only wanted seamen, who came in very slowly.

When these things were laid before the prince, he said, he could by no means resolve to come over with so small a force: could not believe what they suggested, concerning the king's army's being disposed to come over to him: nor did he reckon, so much as they did, on the people of the country's coming in to him: he said he could trust to neither of these: he could not undertake so great a design, the miscarriage of which would be the ruin both of England and Holland, without such a force as he had reason to believe would be superior to the king's own, though his whole army should stick to him. Some proposed, that the prince would divide his force, and land himself with the greatest part in the North, and send a detachment to the West, under marshal Schomberg. They pressed the prince very earnestly to bring him over with him, both because of the great reputation he was in, and because they thought it was a security to the prince's person, and to the whole design, to have another general with him, to whom all would submit in case of any dismal accident: for it seemed too much to have all depend on a single life: and they thought that would be the safer, if their enemies saw another person capable of the command, in case they should have a design upon the prince's person. With this the prince complied easily, and obtained the elector's consent to carry him over with him. But he rejected the motion of dividing his fleet and army. He said, such a divided force might be fatal: for if the king should send his chief strength against the detachment, and have the advantage, it might lose the whole business; since a misfortune in any one part might be the ruin of the whole.

When these advices were proposed to Herbert, and the other seamen, they opposed the landing in the north vehemently. They said, no seamen had been consulted in that: the north coast was not fit for a fleet to ride in during an east wind, which it was to be expected in winter might blow so fresh, that it would not be possible to preserve the fleet; and if the fleet was left there, the channel was open for such forces as might be sent from France: the channel was the safer sea for the fleet to ride in, as well as to cut off the assistance from France. Yet the advices for this were so positive, and so often repeated from England, that the prince was resolved to have split the matter, and to have landed in the North, and then to have sent the fleet to lie in the channel.



The prince continued still to cover his design, and to look towards Cologne. He ordered a review of his army, and an encampment for two months at Nimeguen. A train of artillery was also ordered. By these orders the officers saw a necessity of furnishing themselves for so long a time. The main point remained, how money should be found for so chargeable an expedition. The French ambassador had his eye upon this: and reckoned that, whenever anything relating to it should be moved, it would be then easy to raise an opposition, or at least to create a delay. But Fagel's great foresight did prevent this. In the July before, it was represented to the States, that now by reason of the neighbourhood of Cologne, and the war that was likely to arise there, it was necessary to repair their places, both on the Rhine and the Issel, which were in a very bad condition. This was agreed to: and the charge was estimated at four millions of guilders. So the States created a fund for the interest of that money, and ordered it to be taken up by a loan. It was all brought in in four days. About the end of September a message was delivered to the States from the elector of Brandenburg, by which he undertook to send an army into his country of Cleves, and to secure the States from all danger on that side for this winter.

Upon this, it was proposed to lend the prince the four millions. And this passed easily in the States, without any opposition, to the amazement of all that saw it: for it had never been known that so great and so dangerous an expedition in such a season had been so easily agreed to, without so much as one disagreeing vote, either at the Hague, or in any of the towns of Holland. All people went so cordially into it, that it was not necessary to employ much time in satisfying them, both of the lawfulness and of the necessity of the undertaking. Fagel had sent for all the eminent ministers of the chief towns of Holland: and, as he had a vehemence as well as a tenderness in speaking, he convinced them evidently, that both their religion and their country were in such imminent danger, that nothing but this expedition could save them: they saw the persecution in France: and in that they might see what was to be expected from that religion: they saw the violence with which the king of England was driving matters in his country, which, if not stopped, would soon prevail. He sent them thus full of zeal to dispose the people to a hearty approbation and concurrence in this design. The ministers in Holland are so watched over by the States, that they have no more authority when they meet in a body, in a synod, or in a classis, than the States think fit to allow them. But I was never in any place, where I thought the clergy had generally so much credit with the people, as they have there: and they employed it all upon this occasion very diligently, and to good purpose. Those who had no regard to religion, yet saw a war begun in the empire by the French. And the publication of the alliance between France and England, by the French ambassador, made them conclude that England would join with France. They reckoned they could not stand before such an united force, and that therefore it was necessary to take England out of the hands of a prince, who was such a firm ally to France. All the English that lived in Holland, especially the merchants that were settled in Amsterdam, where the opposition was likely to be strongest, had such positive advices of the disposition that the nation, and even the army were in; that, as this undertaking was considered as the only probable means of their preservation, it seemed so well concerted, that little doubt was made of success, except what arose from the season; which was not only far spent, but the winds were both so contrary, and so stormy, for many weeks, that a forcible stop seemed put to it by the hand of Heaven.

Herbert went to sea with the Dutch fleet, and was ordered to stand over to the Downs, and to look on the English fleet, to try if any would come over, of which some hopes were given; or to engage them, while they were then not above eighteen or twenty ships strong. But the contrary winds made this not only impracticable, but gave great reason to fear that a great part of the fleet would be either lost, or disabled. These continued for above a fortnight, and gave us at the Hague a melancholy prospect. Herbert also found that the fleet was neither so strong, nor so well manned, as he had expected.

All the English that were scattered about the provinces, or in Germany, came to the Hague. Among these there was one Wildman, who, from being an agitator in Cromwell's army, had been a constant meddler on all occasions in everything that looked like sedition,

and seemed inclined to oppose everything that was uppermost. He brought his usual ill-humour along with him, having a peculiar talent in possessing others by a sort of contagion with jealousy and discontent. To these the prince ordered his declaration to be shown. Wildman took great exceptions to it, with which he possessed many to such a degree, that they began to say they would not engage upon those grounds. Wildman had drawn one, in which he had laid down a scheme of the government of England, and then had set forth many particulars in which it had been violated, carrying these a great way into king Charles's reign; all which he supported by many authorities from law books. He objected to the prince's insisting so much on the dispensing power, and on what had been done to the bishops. He said, there was certainly a dispensing power in the crown, practised for some ages: very few patents passed in which there was not a "non obstante" to one or more acts of parliament: this power had been too far stretched of late: but the stretching of a power that was in the crown, could not be a just ground of war: the king had a right to bring any man to a trial: the bishops had a fair trial, and were acquitted, and discharged upon it: in all which there was nothing done contrary to law. All this seemed mysterious, when a known republican was become an advocate for prerogative. His design in this was deep and spiteful. He saw that, as the declaration was drawn, the church party would come in, and be well received by the prince: so he, who designed to separate the prince and them at the greatest distance from one another, studied to make the prince declare against those grievances, in which many of them were concerned, and which some among them had promoted. The earl of Macclesfield, with the lord Mordaunt, and many others, joined with him in this. But the earl of Shrewsbury, together with Sidney, Russel, and some others, were as positive in their opinion that the prince ought not to look so far back as into king Charles's reign: this would disgust many of the nobility and gentry, and almost all the clergy: so they thought the declaration was to be so conceived, as to draw in the body of the whole nation: they were all alarmed with the dispensing power: and it would seem very strange to see an invasion, in which this was not set out as the main ground of it. every man could distinguish between the dispensing with a special act in a particular case, and a total dispensing with laws to secure the nation and the religion: the ill designs of the court, as well as the affections of the nation, had appeared so evidently in the bishops' trial, that if no notice was taken of it, it would be made use of to possess all people with an opinion of the prince's ill-will to them. Russel said, that any reflections made on king Charles's reign would not carry over all the high church party, but all the army, entirely to the king. Wildman's declaration was much objected to. The prince could not enter into a discussion of the law and government of England: that was to be left to the parliament: the prince could only set forth the present and public grievances as they were transmitted to him by those upon whose invitation he was going over. This was not without some difficulty overcome, by altering some few expressions in the first draught, and leaving out some circumstances. So the declaration was printed over again, with some amendments.

In the beginning of October, the troops marched from Nimeguen were put on board in the Zuyder sea, where they lay above ten days before they could get out of the Texel. Never was so great a design executed in so short a time. A transport fleet of five hundred vessels was hired in three days' time. All things, as soon as they were ordered, were got to be so quickly ready, that we were amazed at the dispatch. It is true, some things were wanting, and some things had been forgotten. But when the greatness of the equipage was considered, together with the secrecy with which it was to be conducted till the whole design was to be avowed, it seemed much more strange that so little was wanting, or that so few things had been forgotten. Bentinck, Dykvelt, Herbert, and Van Hulst, were for two months constantly at the Hague, giving all necessary orders with so little noise that nothing broke out all that while. Even in lesser matters favourable circumstances concurred to cover the design. Bentinck used to be constantly with the prince, being the person that was most entirely trusted and constantly employed by him: so that his absence from him, being so extraordinary a thing, might have given some umbrage. But all the summer his lady was so very ill, that she was looked on every day as one that could not live three days to an end: so that this was a very just excuse for his attendance at the Hague.

I waited on the princess a few days before we left the Hague. She seemed to have a great load on her spirits, but to have no scruple as to the lawfulness of the design. After much other discourse, I said, that if we got safe to England, I made no great doubt of our success in all other things. I only begged her pardon to tell her, that if there should happen to be at any time any disjointing between the prince and her, that would ruin all. She answered me, that I needed fear no such thing: if any person should attempt that, she would treat them so, as to discourage all others from venturing on it for the future. She was very solemn and serious, and prayed God earnestly to bless and direct us.

On the sixteenth of October, O. S., the wind, that had stood so long in the west, came into the east. So orders were sent to all to haste to Helvoet-Sluis. That morning the prince went into the assembly of the States-general, to take leave of them. He said to them, he was extremely sensible of the kindness they had all shown him upon many occasions: he took God to witness, he had served them faithfully ever since they had trusted him with the government, and that he had never any end before his eyes but the good of the country: he had pursued it always: and if at any time he erred in his judgment, yet his heart was ever set on procuring their safety and prosperity. He took God to witness, he went to England with no other intentions, but those he had set out in his declaration: he did not know how God might dispose of him: to his providence he committed himself: whatsoever might become of him, he committed to them the care of their country, and recommended the princess to them in a most particular manner: he assured them, she loved their country perfectly, and equally with her own: he hoped that, whatever might happen to him, they would still protect her, and use her as she well deserved; and so he took leave. It was a sad, but a kind parting. Some of every province offered at an answer to what the prince had said: but they all melted into tears and passion; so that their speeches were much broken, very short, and extremely tender. Only the prince himself continued firm in his usual gravity and phlegm. When he came to Helvoet-Sluis, the transport fleet had consumed so much of their provisions, that three days of the good wind were lost before all were supplied anew.

At last, on the nineteenth of October, the prince went aboard, and the whole fleet sailed out that night. But the next day the wind turned into the north, and settled in the north-west. At night a great storm rose. We wrought against it all that night, and the next day. But it was in vain to struggle any longer. And so vast a fleet run no small hazard, being obliged to keep together, and yet not to come too near one another. On the twenty-first in the afternoon the signal was given to go in again: and on the twenty-second the far greater part got safely into port. Many ships were at first wanting, and were believed to be lost. But after a few days all came in. There was not one ship lost; nor so much as any one man, except one that was blown from the shrouds into the sea. Some ships were so shattered, that as soon as they came in, and all was taken out of them, they immediately sunk down. Only five hundred horses died from want of air. Men are upon such occasions apt to flatter themselves upon the points of Providence. In France and England, as it was believed that our loss was much greater than it proved to be, so they triumphed not a little, as if God had fought against us, and defeated the whole design. We on our part, who found ourselves delivered out of so great a storm and so vast a danger, looked on it as a mark of God's great care of us, who, though he had not changed the course of the winds and seas in our favour, yet had preserved us while we were in such apparent danger, beyond what could have been imagined. The States were not at all discouraged with this hard beginning, but gave the necessary orders for supplying us with every thing that we needed. The princess behaved herself at the Hague suitably to what was expected from her. She ordered prayers four times a day, and assisted at them with great devotion. She spoke to nobody of affairs, but was calm, and silent. The States ordered some of their body to give her an account of all their proceedings. She indeed answered little: but in that little she gave them cause often to admire her judgment.

In England the court saw now, that it was in vain to dissemble, or disguise, their fears any more. Great consultations were held there. The earl of Melfort, and all the papists, proposed the seizing on all suspected persons, and the sending them to Portsmouth. The earl



of Sunderland opposed this vehemently. He said, it would not be possible to seize on many at the same time; and the seizing on a few would alarm all the rest: it would drive them into the prince, and furnish them with a pretence for it: he proposed rather, that the king would do such popular things, as might give some content, and lay that fermentation with which the nation was then, as it were, distracted. This was at that time complied with: but all the popish party continued upon this to charge lord Sunderland, as one that was in the king's counsels only to betray them; that had before diverted the offer of assistance from France, and now the securing those who were the most likely to join and assist the prince. By their importunities the king was at last so prevailed on, that he turned him out of all his places; and lord Preston was made secretary of state. The fleet was now put out, and was so strong that, if they had met the Dutch fleet, probably they would have been too hard for them, especially considering the great transport fleet that they were to cover. All the forces that were in Scotland were ordered into England; and that kingdom was left in the hands of their militia. Several regiments came likewise from Ireland. So that the king's army was then about thirty thousand strong. But, in order to lay the heat that was raised in the nation, the king sent for the bishops; and set out the injustice of this unnatural invasion that the prince was designing: he assured them of his affections to the church of England; and protested, he had never intended to carry things further than to an equal liberty of conscience: he desired, they would declare their abhorrence of this invasion, and that they would offer him their advice, what was fit for him to do. They declined the point of abhorrence, and advised the present summoning a parliament; and that in the mean while the ecclesiastical commission might be broken, the proceedings against the bishop of London and Magdalen college might be reversed, and that the law might be again put in its channel. This they delivered with great gravity, and with a courage that recommended them to the whole nation. There was an order sent them from the king afterwards, requiring them to compose an office for the present occasion. The prayers were so well drawn, that even those who wished for the prince might have joined in them. The church party did now show their approbation of the prince's expedition in such terms, that many were surprised at it, both then, and since that time. They spoke openly in favour of it. They expressed their grief to see the wind so cross. They wished for an east wind, which, on that occasion, was called the protestant wind. They spoke with great scorn of all that the court was then doing to regain the hearts of the nation. And indeed the proceedings of the court that way were so cold, and so forced, that few were likely to be deceived by them, but those who had a mind to be deceived. The writs for a parliament were often ordered to be made ready for the seal, and were as often stopped. Some were sealed, and given out: but they were quickly called in again. The old charters were ordered to be restored again. Jeffreys himself carried back the charter of the city of London, and put on the appearances of joy and heartiness when he gave it to them. All men saw through that affectation: for he had raised himself chiefly upon the advising, or promoting, that matter of the surrender, and the forfeiture of the charters. An order was also sent to the bishop of Winchester, to put the president of Magdalen college again in possession. Yet, that order not being executed when the news was brought that the prince and his fleet were blown back, it was countermanded; which plainly showed what it was that drove the court into so much compliance, and how long it was likely to last.

The matter of the greatest concern, and that could not be dropped, but was to be supported, was the birth of the prince of Wales. And therefore the court thought it necessary, now in an after-game, to offer some satisfaction in that point. So a great meeting was called, not only of all the privy councillors and judges, but of all the nobility then in town. To these the king complained of the great injury that was done both him and the queen, by the prince of Orange, who accused them of so black an imposture: he said, he believed there were few princes then alive, who had been born in the presence of more witnesses than were at his son's birth: he had therefore called them together, that they might hear the proof of that matter. It was first proved that the queen was delivered abed, while many were in the room; and that they saw the child soon after he was taken from the queen by the midwife. But in this the midwife was the single witness; for none of the ladies had felt the child in

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the queen's belly. The countess of Sunderland did indeed depose, that the queen called to her to give her her hand, that she might feel how the child lay; to which she added, "which I did;" but did not say, whether she felt the child, or not: and she told the duchess of Hamilton, from whom I had it, that when she put her hand into the bed, the queen held it, and let it go no lower than her breasts. So that really she felt nothing. And this deposition, brought to make a show, was an evidence against the matter, rather than for it; and was a violent presumption of an imposture, and of an artifice to cover it. Many ladies deposed that they had often seen the marks of milk on the queen's linen, near her breasts. Two or three deposed, that they saw it running out at the nipple. All these deposed, that they saw milk before the pretended delivery. But none of them deposed concerning milk after the delivery; though nature sends it then in greater abundance: and the queen had it always in such a plenty, that some weeks passed after her delivery before she was quite freed from it. The ladies did not name the time in which they saw the milk, except one, who named the month of May. But, if the particulars mentioned before, that happened on Easter Monday, are reflected on, and if it appears probable by these that the queen miscarried at that time; then all that the ladies mentioned of milk in her breasts, particularly she that fixed it to the month of May, might have followed upon that miscarriage, and be no proof concerning the late birth. Mrs. Pierce, the laundress, deposed that she took linen from the queen's body once, which carried the marks of a delivery. But she spoke only to one time. That was a main circumstance; and, if it had been true, it must have been often done, and was capable of a more copious proof, since there is occasion for such things to be often looked on, and well considered. The lady Wentworth was the single witness that deposed that she had felt the child move in the queen's belly. She was a bed-chamber woman, as well as a single witness; and she fixed it on no time. If it was very early, she might have been mistaken: or if it was before Easter Monday, it might be true, and yet have no relation to this birth. This was the substance of this evidence, which was ordered to be enrolled and printed. But when it was published, it had a quite contrary effect to what the court expected from it. The presumption of law before this was all in favour of the birth, since the parents owned the child: so that the proof lay on the other side, and ought to be offered by those who called it in question. But, now that this proof was brought, which was so apparently defective, it did not lessen but increase the jealousy with which the nation was possessed: for all people concluded that, if the thing had been true, it must have been easy to have brought a much more copious proof than was now published to the world. It was much observed, that princess Anne was not present. She indeed excused herself: she thought she was breeding; and all motion was forbidden her. None believed that to be the true reason; for it was thought that the going from one apartment of the court to another could not hurt her. So it was looked on as a colour that showed she did not believe the thing; and that therefore she would not, by her being present, seem to give any credit to it.

This was the state of affairs in England, while we lay at Helvoet-Sluis, where we continued till the first of November. Here Wildman created a new disturbance. He plainly had a show of courage, but was, at least, then a coward. He possessed some of the English with an opinion, that the design was now irrecoverably lost. This was entertained by many, who were willing to hearken to any proposition, that set danger at a distance from themselves. They were still magnifying the English fleet, and undervaluing the Dutch. They went so far in this, that they proposed to the prince, that Herbert should be ordered to go over to the coast of England, and either fight the English fleet, or force them in: and in that case the transport fleet might venture over; which otherwise they thought could not be safely done. This some urged with such earnestness, that nothing but the prince's authority, and Schomberg's credit, could have withstood it. The prince told them, the season was now so far spent, that the losing of more time was the losing the whole design: fleets might lie long in view of one another, before it could be possible for them to come to an engagement, though both sides equally desired it; but much longer, if any one of them avoided it; it was not possible to keep the army, especially the horse, long at sea: and it was no easy matter to take them all out, and to ship them again: after the wind had stood

so long in the west, there was reason to hope it would turn to the east: and when that should come, no time was to be lost: for it would sometimes blow so fresh in a few days as to freeze up the river; so that it would not be possible to get out all the winter long. With these things he rather silenced than quieted them. All this while the men-of-war were still riding at sea, it being a continued storm for some weeks. The prince sent out several advice boats with orders to them to come in. But they could not come up to them. On the twenty-seventh of October there was for six hours together a most dreadful storm: so that there were few among us, that did not conclude, that the best part of the fleet, and by consequence that the whole design, was lost. Many that have passed for heroes, yet showed then the agonies of fear in their looks and whole deportment. The prince still retained his usual calmness, and the same tranquillity of spirit, that I had observed in him in his happiest days. On the twenty-eighth it calmed a little, and our fleet came all in, to our great joy. The rudder of one third-rate was broken, and that was all the hurt that the storm had done. At last the much-longed-for east wind came. And so hard a thing it was to set so vast a body in motion, that two days of this wind were lost before all could be quite ready.

On the first of November, O. S., we sailed out with the evening tide, but made little way that night, that so our fleet might come out and move in order. We tried next day till noon if it was possible to sail northward, but the wind was so strong and full in the east, that we could not move that way. About noon the signal was given to steer westward. This wind not only diverted us from that unhappy course, but it kept the English fleet in the river: so that it was not possible for them to come out, though they were come down as far as to the Gunfleet. By this means we had the sea open to us, with a fair wind and a safe navigation. On the third we passed between Dover and Calais, and before night came in sight of the Isle of Wight. The next day, being the day in which the prince was both born and married, he fancied if he could land that day it would look auspicious to the army, and animate the soldiers. But we all who considered that the day following, being Gunpowder-treason day, our landing that day might have a good effect on the minds of the English nation, were better pleased to see that we could land no sooner. Torbay was thought the best place for our great fleet to lie in: and it was resolved to land the army where it could be best done near it; reckoning, that being at such a distance from London, we could provide ourselves with horses, and put everything in order before the king could march his army towards us, and that we should lie some time at Exeter for the refreshing our men. I was in the ship, with the prince's other domestics, that went in the van of the whole fleet. At noon on the fourth, Russel came on board us, with the best of all the English pilots that they had brought over. He gave him the steering of the ship, and ordered him to be sure to sail so that next morning we should be short of Dartmouth: for it was intended that some of the ships should land there, and that the rest should sail into Torbay. The pilot thought he could not be mistaken in measuring our course; and believed that he certainly kept within orders, till the morning shewed us we were past Torbay and Dartmouth. The wind, though it had abated much of its first violence, yet was still full in the east. So now it seemed necessary for us to sail on to Plymouth, which must have engaged us in a long and tedious campaign in winter, through a very ill country. Nor were we sure to be received at Plymouth. The earl of Bath, who was governor, had sent by Russel a promise to the prince to come and join him: yet it was not likely that he would be so forward as to receive us at our first coming. The delays he made afterwards, pretending that he was managing the garrison, whereas he was indeed staying till he saw how the matter was likely to be decided, showed us how fatal it had proved, if we had been forced to sail on to Plymouth. But while Russel was in no small disorder, after he saw the pilot's error, (upon which he bid me go to my prayers, for all was lost,) and as he was ordering the boat to be cleared to go aboard the prince, on a sudden, to all our wonder, it calmed a little. And then the wind turned into the south: and a soft and happy gale of wind carried in the whole fleet in four hours' time into Torbay. Immediately as many landed as conveniently could. As soon as the prince and marshal Schomberg got to shore, they were furnished with such horses as the village of Broxholme could afford; and rode up to view the grounds, which they found as convenient as could be imagined for the foot in that season. It was



not a cold night: otherwise the soldiers, who had been kept warm aboard, might have suffered much by it. As soon as I landed, I made what haste I could to the place where the prince was, who took me heartily by the hand, and asked me if I would not now believe predestination. I told him I would never forget that providence of God which had appeared so signally on this occasion. He was more cheerful than ordinary. Yet he returned soon to his usual gravity. The prince sent for all the fishermen of the place, and asked them which was the properest place for landing his horse, which all apprehended would be a tedious business, and might hold some days. But next morning he was shown a place, a quarter of a mile below the village, where the ships could be brought very near the land, against a good shore, and the horses would not be put to swim above twenty yards. This proved to be so happy for our landing, though we came to it by mere accident, that if we had ordered the whole island round to be sounded, we could not have found a more proper place for it. There was a dead calm all that morning: and in three hours' time all our horse were landed, with as much baggage as was necessary till we got to Exeter. The artillery and heavy baggage were left aboard, and ordered to Topsham, the seaport to Exeter. All that belonged to us was so soon and so happily landed, that, by the next day at noon we were in full march, and marched four miles that night. We had from thence twenty miles to Exeter, and we resolved to make haste thither. But, as we were now happily landed and marching, we saw new and unthought-of characters of a favourable providence of God watching over us. We had no sooner got thus disengaged from our fleet, than a new and great storm blew from the west, from which our fleet, being covered by the land, could receive no prejudice; but the king's fleet had got out as the wind calmed, and, in pursuit of us, was come as far as the Isle of Wight, when this contrary wind turned upon them. They tried what they could to pursue us; but they were so shattered by some days of this storm, that they were forced to go into Portsmouth, and were no more fit for service that year. This was a greater happiness than we were then aware of: for the lord Dartmouth assured me some time after, that whatever stories we had heard and believed, either of officers or seamen, he was confident they would all have fought very heartily. But now, by the immediate hand of Heaven, we were masters of the sea without a blow. I never found a disposition to superstition in my temper: I was rather inclined to be philosophical upon all occasions. Yet I must confess that this strange ordering of the winds and seasons, just to change as our affairs required it, could not but make deep impressions on me, as well as on all that observed it. Those famous verses of Claudian seemed to be more applicable to the prince, than to him they were made on:

*O nimium dilecte Deo, cui militat æther,  
Et conjurati veniunt ad classica venti!*

Heaven's favourite, for whom the skies do fight,  
And all the winds conspire to guide thee right!

The prince made haste to Exeter, where he stayed ten days, both for refreshing his troops and for giving the country time to show their affections. Both the clergy and magistrates of Exeter were very fearful and very backward. The bishop and the dean ran away. And the clergy stood off, though they were sent for and very gently spoken to by the prince. The truth was, the doctrines of passive obedience and non-resistance had been carried so far, and preached so much, that clergymen either could not all on the sudden get out of that entanglement, into which they had by long thinking and speaking all one way involved themselves, or they were ashamed to make so quick a turn. Yet care was taken to protect them and their houses everywhere: so that no sort of violence nor rudeness was offered to any of them. The prince gave me full authority to do this: and I took so particular a care of it, that we heard of no complaints. The army was kept under such an exact discipline, that everything was paid for where it was demanded; though the soldiers were contented with such moderate entertainment that the people generally asked but little for what they did eat. We stayed a week at Exeter before any of the gentlemen of the country about came in to the prince. Every day some persons of condition came from other parts. The

first were the lord Colchester, the eldest son of the earl of Rivers, and the lord Wharton, Mr. Russel, the lord Russel's brother, and the earl of Abington.

The king came down to Salisbury, and sent his troops twenty miles further. Of these, three regiments of horse and dragoons were drawn on by their officers, the lord Cornbury and colonel Langston, on design to come over to the prince. Advice was sent to the prince of this. But because these officers were not sure of their subalterns, the prince ordered a body of his men to advance and assist them in case any resistance was made. They were within twenty miles of Exeter, and within two miles of the body that the prince had sent to join them, when a whisper ran about among them that they were betrayed. Lord Cornbury had not the presence of mind that so critical a thing required\*. So they fell in confusion, and many rode back. Yet one regiment came over in a body, and with them about a hundred of the other two. This gave us great courage, and showed us that we had not been deceived in what was told us of the inclinations of the king's army. Yet, on the other hand, those who studied to support the king's spirits by flatteries told him that in this he saw he might trust his army, since those who intended to carry over those regiments were forced to manage it with so much artifice, and durst not discover their design either to officers or soldiers; and that, as soon as they perceived it, the greater part of them had turned back. The king wanted support, for his spirits sunk extremely. His blood was in such fermentation, that he was bleeding much at the nose, which returned often upon him every day†. He sent many spies over to us. They all took his money, and came and joined themselves to the prince, none of them returning to him. So that he had no intelligence brought him of what the prince was doing but what common reports furnished, which magnified our numbers, and made him think we were coming near him, while we were still at Exeter. He heard that the city of London was very unquiet. News was brought him that the earls of Devonshire and Danby, and the lord Lumley, were drawing great bodies together, and that both York and Newcastle had declared for the prince. The lord Delamere had raised a regiment in Cheshire. And the body of the nation did everywhere discover their inclinations for the prince so evidently, that the king saw he had nothing to trust to but his army. And the ill disposition among them was so apparent, that he reckoned he could not depend on them. So that he lost both heart and head at once. But that which gave him the last and most confounding stroke was, that the lord Churchill and the duke of Grafton left him, and came and joined the prince at Axminster, twenty miles on that side of Exeter. After this he could not know on whom he could depend. The duke of Grafton was one of king Charles's sons, by the duchess of Cleveland. He had been some time at sea, and was a gallant but rough man. He had more spirit than any one of the king's sons. He made an answer to the king about this time that was much talked of. The king took notice of somewhat in his behaviour that looked factious; and he said he was sure he could not pretend to act upon principles of conscience; for he had been so ill bred that as he knew little of religion so he regarded it less. But he answered the king, that though he had little conscience, yet he was of a party that had a great deal. Soon after that, prince George, the duke of Ormond, and the lord Drumlanrig, the duke of Queensberry's eldest son, left him, and came over to the prince, and joined him, when he was come as far as the earl of Bristol's house, at Sherburn. When the news came to London, the princess was so struck with the apprehensions of the king's displeasure, and of the ill effects that it might have, that she said to the lady Churchill that she could not bear the thoughts of it, and would leap out at window rather than venture on it. The bishop of London was then lodged very secretly in Suffolk Street. So the lady Churchill, who knew where he was, went to him, and concerted with him the method of the princess's withdrawing from the court. The princess went sooner to bed than ordinary. And about midnight she went down a back-stairs from her closet, attended only by the lady Churchill, in such haste that they carried nothing with them.

\* This was the eldest son of the earl of Clarendon. His father's sorrow at this defection is touchingly expressed in his "Diary." He immediately had an audience of James the Second, who received him kindly.—Clarendon Correspondence.

† This is mentioned in the Clarendon Correspondence, ii. 206. He was relieved by the lancet four times the same week.—Sir Patrick Hume's Diary; Rose's Observations in Fox's History of James the Second.

They were waited for by the bishop of London, who carried them to the earl of Dorset's, whose lady furnished them with everything. And so they went northward, as far as Northampton, where that earl attended on them with all respect, and quickly brought a body of horse to serve for a guard to the princess. And in a little while a small army was formed about her, who chose to be commanded by the bishop of London: of which he too easily accepted\*.

These things put the king in an inexpressible confusion. He saw himself now forsaken, not only by those whom he had trusted and favoured most, but even by his own children. And the army was in such distraction that there was not any one body that seemed entirely united and firm to him. A foolish ballad was made at that time, treating the papists, and chiefly the Irish, in a very ridiculous manner, which had a burden said to be Irish words, "lero lero lilibulero," that made an impression on the army that cannot be well imagined by those who saw it not. The whole army, and at last all people both in city and country, were singing it perpetually. And perhaps never had so slight a thing so great an effect.

While the prince stayed at Exeter, the rabble of the people came in to him in great numbers. So that he could have raised many regiments of foot if there had been any occasion for them. But what he understood of the temper the king's army was in, made him judge it was not necessary to arm greater numbers. After he had stayed eight days at Exeter, Seymour came in with several other gentlemen of quality and estate. As soon as he had been with the prince, he sent to seek for me. When I came to him, he asked me why we had not an association signed by all that came to us, since, till we had that done, we were as a rope of sand: men might leave us when they pleased, and we had them under no tie: whereas, if they signed an association, they would reckon themselves bound to stick to us. I answered, it was because we had not a man of his authority and credit to offer and support such an advice. I went from him to the prince, who approved of the motion; as did also the earl of Shrewsbury, and all that were with us. So I was ordered to draw it. It was, in few words, an engagement to stick together in pursuing the ends of the prince's declaration; and that, if any attempt should be made on his person, it should be revenged on all by whom, or from whom, any such attempt should be made. This was agreed to by all about the prince. So it was engrossed in parchment, and signed by all those that came in to him. The prince put Devonshire and Exeter under Seymour's government, who was recorder of Exeter. And he advanced with his army, leaving a small garrison there with his heavy artillery under colonel Gibson, whom he made deputy-governor as to the military part.

At Crookhorn, Dr. Finch, son of the earl of Winchelsea, and warden of All-Souls college in Oxford, was sent to the prince from some of the heads of colleges, assuring him that they would declare for him, and inviting him to come thither, telling him that their plate should be at his service, if he needed it. This was a sudden turn from those principles that they

\* The princess Anne left the Cockpit, where she then lodged, on the night of November the 25th. The earl of Clarendon says that he heard the rumour next morning, and the report was that some one had carried her away, nobody knew whither. The duchess of Marlborough (then lady Churchill) managed the escape for her; and the narrative she has given coincides closely with that given by Burnet. After stating the preliminary arrangements she made with the bishop of London, she adds, "The princess went to bed at the usual time, to prevent suspicion. I came to her soon after, and, by the back stairs which went down from her closet, her royal highness, lady Fitzharding, and I, with one servant, walked to the coach, where we found the bishop and the earl of Dorset. They conducted us that night to the bishop's house in the City, and the next day to my lord Dorset's, at Copt Hall. From thence we went to the earl of Northampton's, and from thence to Nottingham, where the country gathered round the princess; nor did she think herself safe till she saw that she was surrounded by the prince of Orange's friends."—(Account of the Duchess

of Marlborough; Clarendon Correspondence; Colley Cibber's Apology for his Life; Dalrymple's Memoirs.) Prince George, the duke of Ormond, lord Drumlanrig, and Mr. H. Boyle, had deserted James at Andover, on the 24th. They had supped with the king the same evening, and left his quarters as soon as he had retired to bed. Prince George left a letter for James (see this in Kennet's Hist. of England), excusing himself, and blaming this unhappy monarch. When the prince heard of any one's defection from the king, he had been accustomed to exclaim, "*Est-il possible?*" The only remark James made upon the prince's desertion was, "*Is Est-il possible gone too?*" In king James's "*Memoirs*" it is said, "he was more troubled at the unnaturalness of the action than the want of his service; for the loss of a good trooper would have been of more consequence." But on the monarch's return to London, and finding his daughter had also fled, he burst into tears, emphatically saying, "God help me! my own children have forsaken me."—Clarendon Correspondence, ii. 208.



had carried so high a few years before. The prince had designed to have secured Bristol and Gloucester, and so to have gone to Oxford, the whole west being then in his hands, if there had been any appearance of a stand to be made against him by the king and his army; for, the king being so much superior to him in horse, it was not advisable to march through the great plains of Dorsetshire and Wiltshire. But the king's precipitate return to London put an end to this precaution. The earl of Bath had prevailed with the garrison of Plymouth, and they declared for the prince. So now all behind him was safe. When he came to Sherburn, all Dorsetshire came in a body and joined him. He resolved to make all the haste he could to London, where things were in a high fermentation.

A bold man ventured to draw and publish another declaration in the prince's name. It was penned with great spirit: and it had as great an effect. It set forth the desperate designs of the papists, and the extreme danger the nation was in by their means, and required all persons immediately to fall on such papists as were in any employments, and to turn them out, and to secure all strong places, and to do everything else that was in their power in order to execute the laws, and to bring all things again into their proper channels. This set all men at work: for no doubt was made that it was truly the prince's declaration. But he knew nothing of it. And it was never known who was the author of so bold a thing. No person ever claimed the merit of it: for though it had an amazing effect, yet, it seems, he that contrived it apprehended that the prince would not be well pleased with the author of such an imposture in his name. The king was under such a consternation, that he neither knew what to resolve on, nor whom to trust. This pretended declaration put the City in such a flame, that it was carried to the lord mayor, and he was required to execute it. The apprentices got together, and were falling upon all mass-houses, and committing many irregular things. Yet their fury was so well governed, and so little resisted, that no other mischief was done; no blood was shed.

The king now sent for all the lords in town, that were known to be firm protestants. And, upon speaking to some of them in private, they advised him to call a general meeting of all the privy councillors and peers, to ask their advice what was fit to be done. All agreed in one opinion that it was fit to send commissioners to the prince to treat with him. This went much against the king's own inclinations: yet the dejection he was in, and the desperate state of his affairs, forced him to consent to it. So the marquis of Halifax, the earl of Nottingham, and the lord Godolphin, were ordered to go to the prince, and to ask him what it was that he demanded. The earl of Clarendon reflected the most, on the king's former conduct, of any in that assembly, not without some indecent and insolent words, which were generally condemned. He expected, as was said, to be one of the commissioners, and upon his not being named he came and met the prince near Salisbury. Yet he suggested so many peevish and peculiar things when he came, that some suspected all this was but collusion, and that he was sent to raise a faction among those that were about the prince. The lords sent to the prince to know where they should wait on him, and he named Hungerford. When they came thither and had delivered their message, the prince called all the peers and others of chief note about him, and advised with them what answers should be made. A day was taken to consider of an answer. The marquis of Halifax sent for me. But the

\* At this meeting (November 27th), the lord chancellor Jeffreys, Godolphin, Falconberg, &c. recommended the calling a parliament. Lord Clarendon, in his "Diary," says, "I spake with great freedom, laying open most of the late miscarriages, and particularly the raising a regiment of Roman catholics at this very time under the command of the earl of Stafford, to be a guard to the king's person; into which all the French tradesmen in town of that religion were received, and none were to be admitted but papists. I pressed this so earnestly, that the king called out and said it was not true; there were no directions for admitting none but papists; but I went on, saying I had been so informed, &c. My motion was for a parliament, and sending commissioners to treat with the prince of Orange." Lords Halifax and Nottingham supported these propositions, but more mildly. In conclu-

sion, the king said, "My lords, I have heard you all: you have spoken with great freedom, and I do not take it ill of any of you. I may tell you I will call a parliament; but for the other things you propose, they are of great importance, and you will not wonder that I take one night's time to consider of them." Lord Godolphin prevented any of the popish peers being present at this council. The king complained much of the defection of his army, yet thought many would adhere to him. He said he considered the bleeding at his nose a great providence; for, if it had not occurred on the day he intended to review the troops at Westminster, he believed, on good reasons, that lord Churchill had intended to deliver him up to the prince of Orange. This is supported by many statements in Macpherson's "Original Papers," i. 280.—Clarendon Correspondence.

prince said, though he would suspect nothing from our meeting, others might. So I did not speak with him in private, but in the hearing of others. Yet he took occasion to ask me, so as nobody observed it, "If we had a mind to have the king in our hands?" I said, "By no means; for we would not hurt his person." He asked next, "What if he had a mind to go away?" I said, "Nothing was so much to be wished for." This I told the prince. And he approved of both my answers. The prince ordered the earls of Oxford, Shrewsbury, and Clarendon, to treat with the lords the king had sent. And they delivered the prince's answer to them on Sunday the eighth of December\*.

He desired a parliament might be presently called, that no men should continue in any employment who were not qualified by law, and had not taken the tests; that the Tower of London might be put in the keeping of the City; that the fleet, and all the strong places of the kingdom, might be put in the hands of protestants; that a proportion of the revenue might be set off for the pay of the prince's army; and that during the sitting of the parliament, the armies of both sides might not come within twenty miles of London; but, that the prince might come on to London, and have the same number of his guards about him that the king kept about his person. The lords seemed to be very well satisfied with this answer. They sent it up by an express, and went back next day to London.

But now strange counsels were suggested to the king and queen. The priests, and all the violent papists, saw a treaty was now opened. They knew that they must be the sacrifice. The whole design of popery must be given up, without any hope of being able in an age to think of bringing it on again. Severe laws would be made against them. And all those who intended to stick to the king, and to preserve him, would go into those laws with a particular zeal: so that they, and their hopes, must be now given up and sacrificed for ever. They infused all this into the queen. They said she would certainly be impeached, and witnesses would be set up against her and her son: the king's mother had been impeached in the long parliament: and she was to look for nothing but violence. So the queen took up a sudden resolution of going to France with the child. The midwife, together with all who were assisting at the birth, were also carried over, or so disposed of, that it could never be learned what became of them afterwards. The queen prevailed with the king, not only to consent to this, but to promise to go quickly after her. He was only to stay a day or two after her, in hope that the shadow of authority that was still left in him might keep things so quiet, that she might have an undisturbed passage. So she went to Portsmouth. And from thence, in a man of war, she went over to France: the king resolving to follow her in disguise. Care was also taken to send all the priests away. The king stayed long enough to get the prince's answer†. And when he had read it, he said he did not expect so good terms. He ordered the lord chancellor to come to him next morning. But he had called secretly for the great seal. And the next morning, being the tenth of December, about three in the morning, he went away in disguise with sir Edward Hales, whose servant he seemed to be. They passed the river, and flung the great seal into it; which was some months after found by a fisherman, near Fox Hall‡. The king went down to a miserable fisher-boat that Hales had provided for carrying them over to France.

Thus a great king, who had a good army and a strong fleet, did choose rather to abandon

\* The time of this nobleman's going over to the prince of Orange, his interview with the latter, &c. are very interestingly told by him in his "Diary."—Clarendon Correspondence.

† The despatches of the French ambassador, M. Barillon, confirm the statements made by Burnet. He says, that James only consented to send commissioners to the prince, because, by so doing, time would be gained to enable the queen and himself to prepare for their flight.—Mazure's Histoire de la Révolution.

‡ Whether the great seal was found as stated by Burnet, seems very doubtful. Barillon says, that father Peters, who left a day or two before the king, had taken precautions to have the great seal at his command, that he might take it with him. Barillon's words are—"Son

intention en cela est d'avoir auprès de lui le grand sceau, pour l'emporter au besoin. Par les loix d'Angleterre on ne peut rien faire sans le grand sceau; et avec le grand sceau, le roi peut empêcher beaucoup de choses que ses ennemis voudroient faire. On croit par ce moyen jeter du trouble et de la division dans le gouvernement qu'il faudra établir."—(Mazure's Hist. de la Révolution, iii. 220.) At all events the chancellor, Jeffreys, did not throw it into the river; for James, in conversation with Barillon, said, "The meeting of a parliament cannot be authorised without writs under the great seal, and they have been issued for fifteen counties only; the others are burned; the great seal is missing; the chancellor had placed it in my hands eight days before I went away. They cannot make another without me."—Ibid.

all, than either to expose himself to any danger with that part of the army that was still firm to him, or to stay and see the issue of a parliament. Some attributed this mean and unaccountable resolution to a want of courage. Others thought it was the effect of an ill conscience, and of some black thing under which he could not now support himself. And they who censured it the most moderately, said that it showed that his priests had more regard to themselves than to him; and that he considered their interest more than his own; and that he chose rather to wander abroad with them, and to try what he could do by a French force to subdue his people, than to stay at home, and be shut up within the bounds of law, and be brought under an incapacity of doing more mischief; which they saw was necessary to quiet those fears and jealousies, for which his bad government had given so much occasion. It seemed very unaccountable, since he was resolved to go, that he did not choose rather to go in one of his yachts, or frigates, than to expose himself in so dangerous and ignominious a manner. It was not possible to put a good construction on any part of the dishonourable scene which he then acted.

With this his reign ended: for this was a plain deserting his people, and the exposing the nation to the pillage of an army, which he had ordered the earl of Feversham to disband. And the doing this without paying them, was the letting so many armed men loose upon the nation: who might have done much mischief, if the execution of those orders that he left behind him had not been stopped. I shall continue the recital of all that passed in this interregnum, till the throne, which he now left empty, was filled.

He was not gone far, when some fishermen of Feversham, who were watching for such priests, and other delinquents, as they fancied were making their escape, came up to him. And they, knowing sir Edward Hales, took both the king and him, and brought them to Feversham. The king told them who he was. And that flying about brought a vast crowd together, to look on that astonishing instance of the uncertainty of all worldly greatness; when he who had ruled three kingdoms, and might have been the arbiter of all Europe, was now in such mean hands, and so low an equipage. The people of the town were extremely disordered with this unlooked-for accident; and, though for a while they kept him as a prisoner, yet they quickly changed that into as much respect as they could possibly pay him. Here was an accident that seemed of no great consequence; yet all the strugglings which that party have made ever since that time to this day, which from him were called afterwards the Jacobites, did rise out of this: for, if he had got clear away, by all that could be judged, he would not have had a party left: all would have agreed, that here was a desertion, and that therefore the nation was free, and at liberty to secure itself. But what followed upon this gave them a colour to say, that he was forced away, and driven out. Till now, he scarce had a party, but among the papists: but from this incident a party grew up, that has been long very active for his interests. As soon as it was known at London that the king was gone, the apprentices and the rabble, who had been a little quieted when they saw a treaty on foot between the king and the prince, now broke out again upon all suspected houses, where they believed there were either priests, or papists. They made great havoc of many places, not sparing the houses of ambassadors: but none were killed, no houses burnt, nor were any robberies committed. Never was so much fury seen under so much management. Jeffreys, finding the king was gone, saw what reason he had to look to himself; and, apprehending that he was now exposed to the rage of the people, whom he had provoked with so particular a brutality, he had disguised himself to make his escape. But he fell into the hands of some who knew him. He was insulted by them with as much scorn, and rudeness as they could invent. And, after many hours' tossing him about, he was carried to the lord mayor, whom they charged to commit him to the Tower, which the lord Lucas had then seized, and in it had declared for the prince. The lord mayor was so struck with the terror of this rude populace, and with the disgrace of a man who had made all people tremble before him, that he fell into fits upon it, of which he died soon after.

To prevent the further growth of such disorders, he called a meeting of the privy councillors and peers, who met at Guildhall. The archbishop of Canterbury was there. They gave a strict charge for keeping the peace, and agreed to send an invitation to the prince, desiring him to come and take the government of the nation into his hands, till a parliament should



meet to bring all matters to a just and full settlement. This they all signed, and sent it to the prince by the earl of Pembroke, the viscount Weymouth, the bishop of Ely, and the lord Culpepper. The prince went on from Hungerford to Newbury, and from thence to Abington, resolving to have gone to Oxford to receive the compliments of the University, and to meet the princess Anne who was coming thither. At Abington he was surprised with the news of the strange catastrophe of affairs now at London, the king's desertion, and the disorders which the city and neighbourhood of London were falling into. One came from London, and brought him the news, which he knew not well how to believe, till he had an express sent him from the lords, who had been with him from the king. Upon this the prince saw how necessary it was to make all possible haste to London. So he sent to Oxford, to excuse his not coming thither, and to offer the association to them, which was signed by almost all the heads, and the chief men of the university; even by those, who, being disappointed in the preferments they aspired to, became afterwards his most implacable enemies.

Hitherto the expedition had been prosperous, beyond all that could have been expected. There had been but two small engagements, during this unseasonable campaign; one was at Winkington, in Dorsetshire, where an advanced party of the prince's met one of the king's that was thrice their number: yet they drove them before them into a much greater body, where they were overpowered with numbers. Some were killed on both sides; but there were more prisoners taken of the prince's men: yet, though the loss was of his side, the courage that his men shewed in so great an inequality as to number, made us reckon that we gained more than we lost on that occasion. Another action happened at Reading, where the king had a considerable body, who, as some of the prince's men advanced, fell into a great disorder, and ran away. One of the prince's officers was shot: he was a papist; and the prince in consideration of his religion was willing to leave him behind him in Holland; but he very earnestly begged he might come over with his company; and he was the only officer that was killed in the whole expedition.

Upon the news of the king's desertion, it was proposed that the prince should go on with all possible haste to London; but that was not advisable: for the king's army lay so scattered through the road all the way to London, that it was not fit for him to advance faster, than as his troops marched before him; otherwise, any resolute officer might have seized or killed him. Though, if it had not been for that danger, a great deal of mischief, that followed, would have been prevented by his speedy advance: for now began that turn, to which all the difficulties, that did afterwards disorder our affairs, may be justly imputed. Two gentlemen of Kent came to Windsor the morning after the prince came thither; they were addressed to me. And they told me of the accident at Feversham, and desired to know the prince's pleasure upon it. I was affected with this dismal reverse of the fortune of a great prince, more than I think fit to express. I went immediately to Bentinck, and wakened him, and got him to go in to the prince, and let him know what had happened, that some order might be presently given for the security of the king's person, and for taking him out of the hands of a rude multitude, who said they would obey no orders but such as came from the prince. The prince ordered Zuylestein to go immediately to Feversham, and to see the king safe, and at full liberty to go whithersoever he pleased. But, as soon as the news of the king's being at Feversham came to London, all the indignation that people had formerly conceived against him, was turned to pity and compassion. The privy council met upon it. Some moved, that he should be sent for; others said, he was king, and might send for his guards and coaches, as he pleased; but it became not them to send for him. It was left to his general, the earl of Feversham, to do what he thought best. So he went for him with his coaches and guards. And, as he came back through the city, he was welcomed with expressions of joy by great numbers: so slight and unstable a thing is a multitude, and so soon altered. At his coming to Whitehall, he had a great court about him\*. Even the papists crept out of their lurking holes, and appeared at court with much

\* This is all more fully stated, and confirmed by lord Clarendon in his "Diary." James returned to Whitehall on the 16th of December.—Clarendon Correspondence.

assurance. The king himself began to take heart; and both at Feversham, and now at Whitehall, he talked in his ordinary high strain, justifying all he had done; only he spoke a little doubtfully of the business of Magdalen college. But when he came to reflect on the state of his affairs, he saw it was so broken, that nothing was now left to deliberate upon. So he sent the earl of Feversham to Windsor, without demanding any passport; and ordered him to desire the prince to come to St. James's, to consult with him of the best way for settling the nation.

When the news of what had passed at London came to Windsor, the prince thought the privy council had not used him well, who, after they had sent to him to take the government upon him, had made this step without consulting him. Now the scene was altered, and new counsels were to be taken. The prince heard the opinions, not only of those who had come along with him, but of such of the nobility as were now come to him, among whom the marquis of Halifax was one. All agreed that it was not convenient that the king should stay at Whitehall. Neither the king, nor the prince, nor the city, could have been safe, if they had been both near one another. Tumults would probably have arisen out of it. The guards, and the officious flatterers of the two courts, would have been unquiet neighbours. It was thought necessary to stick to the point of the king's deserting his people, and not to give up that, by entering upon any treaty with him. And since the earl of Feversham, who had commanded the army against the prince, was come without a passport, he was for some days put in arrest.

It was a tender point how to dispose of the king's person\*. Some proposed rougher methods: the keeping him a prisoner, at least till the nation was settled, and till Ireland was secured. It was thought, his being kept in custody, would be such a tie on all his party, as would oblige them to submit, and be quiet. Ireland was in great danger; and his restraint might oblige the earl of Tyrconnell to deliver up the government, and to disarm the papists, which would preserve that kingdom, and the protestants in it. But, because it might raise too much compassion, and perhaps some disorder, if the king should be kept in restraint within the kingdom, therefore the sending him to Breda was proposed. The earl of Clarendon pressed this vehemently, on the account of the Irish protestants, as the king himself told me: for those that gave their opinions in this matter did it secretly, and in confidence to the prince. The prince said, he could not deny but that this might be good and wise advice; but it was that to which he could not hearken: he was so far satisfied with the grounds of this expedition, that he could act against the king in a fair and open war; but for his person, now that he had him in his power, he could not put such a hardship on him, as to make him a prisoner; and he knew the princess's temper so well, that he was sure she would never bear it: nor did he know what disputes it might raise, or what effect it might have upon the parliament that was to be called. He was firmly resolved never to suffer any thing to be done against his person: he saw it was necessary to send him out of London; and he would order a guard to attend upon him, who should only defend and protect his person, but not restrain him in any sort.

A resolution was taken of sending the lords Halifax, Shrewsbury, and Delamere, to London, who were first to order the English guards that were about the court to be drawn off, and sent to quarters out of town; and, when that was done, the count of Solms with the Dutch guards was to come and take all the posts about the court. This was obeyed without any resistance, or disorder, but not without much murmuring. It was midnight before all was settled; and then these lords sent to the earl of Middleton, to desire him to let the king know, that they had a message to deliver to him from the prince. He went in to the king, and sent them word from him, that they might come with it immediately. They came, and found him a-bed. They told him, the necessity of affairs required, that the prince should come presently to London; and he thought it would conduce to the safety of the king's person, and the quiet of the town, that he should retire to some house out of town: and they proposed Ham. The king seemed much dejected, and asked, if it must be done immediately.

\* Barillon, in one of his letters, relates a conversation with the king, showing that he was perfectly aware how much his stay in England would embarrass his enemies.

From this and a statement in sir John Reresby's "Memoirs," it seems rational to conclude that representations were afterwards made which frightened him into flight.

They told him, he might take his rest first; and they added, that he should be attended by a guard, who should only guard his person, but should give him no sort of disturbance. Having said this, they withdrew. The earl of Middleton came quickly after them, and asked them, if it would not do as well, if the king should go to Rochester; for since the prince was not pleased with his coming up from Kent, it might be perhaps acceptable to him, if he should go thither again. It was very visible, that this was proposed in order to a second escape.

They promised to send word immediately to the prince of Orange, who lay that night at Sion, within eight miles of London. He very readily consented to it. And the king went next day to Rochester, having ordered all that which is called the moving wardrobe to be sent before him, the count of Solms ordering every thing to be done, as the king desired. A guard went with him that left him at full liberty, and paid him rather more respect than his own guards had done of late. Most of that body, as it happened, were papists. So when he went to mass, they went in, and assisted very reverently. And, when they were asked, how they could serve in an expedition that was intended to destroy their own religion, one of them answered, "His soul was God's, but his sword was the prince of Orange's." The king was so much delighted with this answer, that he repeated it to all that came about him \*. On the same day the prince came to St. James's. It happened to be a very rainy day; and yet great numbers came to see him. But, after they had stood long in the wet, he disappointed them; for, he who neither loved shews nor shoutings, went through the park. And even this trifle helped to set people's spirits on the fret.

The revolution was thus brought about, with the universal applause of the whole nation; only these last steps began to raise a fermentation. It was said, here was an unnatural thing, to waken the king out of his sleep, in his own palace, and to order him to go out of it, when he was ready to submit to every thing. Some said, he was now a prisoner, and remembered the saying of king Charles the First, that the prisons and the graves of princes lay not far distant from one another: the person of the king was now struck at, as well as his government; and this specious undertaking would now appear to be only a disguised, and designed, usurpation. These things began to work on great numbers. And the posting the Dutch guards, where the English guards had been, gave a general disgust to the whole English army. They indeed hated the Dutch besides, on the account of the good order and strict discipline they were kept under; which made them to be as much beloved by the nation, as they were hated by the soldiery. The nation had never known such an inoffensive march of an army; and the peace and order of the suburbs, and the freedom of markets in and about London, was so carefully maintained, that in no time fewer disorders had been committed than were heard of this winter.

None of the papists or jacobites were insulted in any sort. The prince had ordered me, as we came along, to take care of the papists, and to secure them from all violence. When he came to London, he renewed these orders, which I executed with so much zeal and care, that I saw all the complaints that were brought me fully redressed. When we came to London I procured passports for all that desired to go beyond sea. Two of the popish bishops were put in Newgate. I went thither in the prince's name. I told them, the prince would not take upon him yet to give orders about prisoners; as soon as he did that, they should feel the effects of it. But in the mean while I ordered them to be well used, and to be taken care of, and that their friends might be admitted to come to them. So truly did I pursue the principle of moderation, even towards those from whom nothing of that sort was to be expected †.

\* Lord Clarendon, in his "Diary" at the date December 18, says, "I was told the three lords came to Whitehall last night after the king was in bed. The English guards being first removed, and the Dutch in possession of their posts, the lords were quickly admitted to the king; and when they had delivered their message, the king told them, he had rather return to Rochester than to Ham; whereupon the lords went back to Sion, and brought the king word by nine this morning, that his majesty might go to Rochester if he pleased; and about eleven the king took a barge and went down the river; Dutch guards being

appointed to attend him. Higgon's says, "the very moment" the king left Whitehall, his daughter entered it: this is a misrepresentation; lord Clarendon says they did not come to London until the next day.

† The French ambassador, Barillon, was zealously active in promoting disunion among the English peers; but William put an end to his activity by having him out of England in twenty-four hours. He asked in vain for a delay, and was sent at the appointed time to Dover under a Dutch escort.—Echard's History of the Revolution, 218.



Now that the prince was come, all the bodies about the town came to welcome him. The bishops came the next day : only the archbishop of Canterbury, though he had once agreed to it, yet would not come. The clergy of London came next. The city, and a great many other bodies, came likewise, and expressed a great deal of joy for the deliverance wrought for them by the prince's means. Old serjeant Maynard came with the men of the law. He was then near ninety, and yet he said the liveliest thing that was heard of on that occasion. The prince took notice of his great age, and said, that he believed he had outlived all the men of the law of his time : he answered, " he should have out-lived the law itself, if his highness had not come over."

The first thing to be done after the compliments were over, was to consider how the nation was to be settled. The lawyers were generally of opinion, that the prince ought to declare himself king, as Henry the Seventh had done. This, they said, would put an end to all disputes, which might otherwise grow very perplexing and tedious : and, they said, he might call a parliament which would be a legal assembly, if summoned by the king in fact, though his title was not yet recognized. This was plainly contrary to his declaration, by which the settlement of the nation was referred to a parliament ; such a step would make all that the prince had hitherto done, pass for an aspiring ambition, only to raise himself ; and it would disgust those who had been hitherto the best affected to his designs ; and make them less concerned in the quarrel, if, instead of staying till the nation should offer him the crown, he would assume it as a conquest. These reasons determined the prince against that proposition. He called all the peers, and the members of the three last parliaments, that were in town, together with some of the citizens of London. When these met, it was told them, that, in the present distraction, the prince desired their advice about the best methods of settling the nation. It was agreed in both these houses, such as they were, to make an address to the prince, desiring him to take the administration of the government into his hands in the interim. The next proposition passed not so unanimously ; for, it being moved, that the prince should be likewise desired to write missive letters to the same effect, and for the same persons to whom writs were issued out for calling a parliament, that so there might be an assembly of men in the form of a parliament, though without writs under the great seal, such as that was that had called home king Charles the Second : the earl of Nottingham objected to this, that such a convention of the States could be no legal assembly, unless summoned by the king's writ. Therefore he moved, that an address might be made to the king, to order the writs to be issued out. Few were of his mind. The matter was carried the other way ; and orders were given for those letters to be sent round the nation.

The king continued a week at Rochester. And both he himself, and every body else, saw that he was at full liberty, and that the guard about him put him under no sort of restraint. Many that were zealous for his interests went to him, and pressed him to stay, and to see the issue of things : a party would appear for him ; good terms would be got for him ; and things would be brought to a reasonable agreement. He was much distracted between his own inclinations, and the importunities of his friends. The queen, hearing what had happened, wrote a most vehement letter to him, pressing his coming over, remembering him of his promise, which she charged on him in a very earnest, if not in an imperious strain. This letter was intercepted. I had an account of it from one that read it. The prince ordered it to be conveyed to the king ; and that determined him. So he gave secret orders to prepare a vessel for him ; and drew a paper, which he left on his table \*, reproaching the nation for their forsaking him. He declared, that though he was going to seek for foreign aid, to restore him to his throne, yet he would not make use of it to overthrow either the religion established, or the laws of the land. And so he left Rochester very secretly, on the last day of this memorable year, and got safe over to France.

But, before I enter into the next year, I will give some account of the affairs of Scotland. There was no force left there, but a very small one, scarcely able to defend the castle of Edinburgh, of which the duke of Gordon was governor. He was a papist ; but had neither the spirit, nor the courage, which such a post required at that time. As soon as the news came

\* Directed to lord Middleton. He went away without informing some of his best friends.—Clarendon Correspondence, ii. 234.

to Scotland of the king's desertion, the rabble got together there, as they had done in London. They broke into all popish chapels, and into the church of Holy Rood House, which had been adorned at a great charge to be a royal chapel, particularly for the order of St. Andrew and the Thistle, which the king had resolved to set up in Scotland in imitation of the order of the garter in England. They defaced it quite, and seized on some that were thought great delinquents, in particular on the earl of Perth, who had disguised himself, and had got aboard a small vessel: but he was seized on, and put in prison. The whole kingdom, except only the castle of Edinburgh, declared for the prince, and received his declaration for that kingdom with great joy. This was done in the north very unanimously, by the episcopal, as well as by the presbyterian party. But in the western counties, the presbyterians, who had suffered much in a course of many years, thought that the time was now come, not only to procure themselves ease and liberty, but to revenge themselves upon others. They generally broke in upon the episcopal clergy with great insolence and much cruelty. They carried them about the parishes in a mock procession: they tore their gowns, and drove them from their churches and houses. Nor did they treat those of them, who had appeared very zealously against popery, with any distinction. The bishops of that kingdom had written a very indecent letter to the king, upon the news of the prince's being blown back by the storm, full of injurious expressions towards the prince, expressing their abhorrence of his design: and, in conclusion, they wished that the king might have the necks of his enemies. This was sent up as a pattern to the English bishops, and was printed in the Gazette. But they did not think fit to copy after it in England. The episcopal party in Scotland saw themselves under a great cloud; so they resolved all to adhere to the earl of Dundee, who had served some years in Holland, and was both an able officer, and a man of good parts, and of some very valuable virtues; but, as he was proud and ambitious, so he had taken up a most violent hatred of the whole presbyterian party, and had executed all the severest orders against them with great rigour; even to the shooting many on the highway, that refused the oath required of them. The presbyterians looked on him as their most implacable enemy; and the episcopal party trusted most entirely to him. Upon the prince's coming to London, the duke of Hamilton called a meeting of all the men of quality of the Scotch nation then in town; and these made an address to the prince with relation to Scotland, almost in the same terms in which the English address was conceived. And now the administration of the government of the whole isle of Britain was put in the prince's hands.

The prospect from Ireland was more dreadful. Tyrconnell gave out new commissions for levying thirty thousand men. And reports were spread about that island, that a general massacre of the protestants was fixed to be in November. Upon which the protestants began to run together for their common defence, both in Munster and in Ulster. They had no great strength in Munster. They had been disarmed, and had no store of ammunition for the few arms that were left them. So they despaired of being able to defend themselves, and came over to England in great numbers, and full of dismal apprehensions for those they had left behind them. They moved earnestly, that a speedy assistance might be sent to them. In Ulster the protestants had more strength; but they wanted a head. The lords of Grenard and Mountjoy, who were the chief military men among them, in whom they confided most, kept still such measures with Tyrconnell, that they would not take the conduct of them. Two towns, that had both very little defence about them, and a very small store of provisions within them, were by the rashness, or boldness, of some brave young men secured: so that they refused to receive a popish garrison, or to submit to Tyrconnell's orders. These were Londonderry, and Inniskilling. Both of them were advantageously situated. Tyrconnell sent troops into the north to reduce the country. Upon which great numbers fled into those places, and brought in provisions to them. And so they resolved to defend themselves, with a firmness of courage that cannot be enough admired; for when they were abandoned, both by the gentry and the military men, those two small unfurnished and unfortified places, resolved to stand to their own defence, and at all perils to stay till supplies should come to them from England. I will not enlarge more upon the affairs of that kingdom; both because I had no occasion to be well informed of them, and because Dr. King, now archbishop of Dublin, wrote a copious history of the government of Ireland during this

reign, which is so well received, and so universally acknowledged to be as truly as it is finely written, that I refer my reader to the account of those matters, which is fully and faithfully given by that learned and zealous prelate \*.

And now I enter upon the year 1689: in which the two first things to be considered, before the convention could be brought together, were, the settling the English army, and the affairs of Ireland. As for the army, some of the bodics, those chiefly that were full of papists, and of men ill affected, were to be broken. And, in order to that, a loan was set on foot in the city, for raising the money that was to pay their arrears at their disbanding, and for carrying on the pay of the English and Dutch armies till the convention should meet, and settle the nation. This was the great distinction of those who were well affected to the prince: for, whereas those who were ill affected to him refused to join in the loan, pretending there was no certainty of their being repaid; the others did not doubt but the convention would pay all that was advanced in so great an exigence; and so they subscribed liberally, as the occasion required.

As for the affairs of Ireland, there was a great variety of opinions among them. Some thought that Ireland would certainly follow the fate of England. This was managed by an artifice of Tyrconnell's, who, what by deceiving, what by threatening the most eminent protestants in Dublin, got them to write over to London, and give assurances that he would deliver up Ireland, if he might have good terms for himself, and for the Irish. The earl of Clarendon was much depended on by the protestants of Ireland, who made all their applications to the prince by him. Those, who were employed by Tyrconnell to deceive the prince, made their applications by sir William Temple, who had a long and well-established credit with him. They said, Tyrconnell would never lay down the government of Ireland, unless he was sure that the earl of Clarendon was not to succeed: he knew his peevishness and spite, and that he would take severe revenges for what injuries he thought had been done to himself, if he had them in his power; and therefore he would not treat till he was assured of that. Upon this the prince did avoid the speaking to the earl of Clarendon of those matters. And then he, who had possessed himself in his expectation of that post, seeing the prince thus shut him out of the hopes of it, became a most violent opposer of the new settlement. He reconciled himself to king James; and has been, ever since, one of the hottest promoters of his interest of any in the nation. Temple entered into a management with Tyrconnell's agents, who, it is very probable, if things had not taken a great turn in England, would have come to a composition. Others thought that the leaving Ireland in that dangerous state, might be a mean to bring the convention to a more speedy settlement of England; and that therefore the prince ought not to make too much haste to relieve Ireland. This advice was generally believed to be given by the marquis of Halifax; and it was like him. The prince did not seem to apprehend enough the consequences of the revolt of Ireland; and was much blamed for his slowness in not preventing it in time.

The truth was, he did not know whom to trust. A general discontent, next to mutiny, began to spread itself through the whole English army. The turn that they were now making from him was almost as quick as that which they had made to him. He could not trust them. Probably, if he had sent any of them over, they would have joined with Tyrconnell. Nor could he well send over any of his Dutch troops. It was to them that he chiefly trusted for maintaining the quiet of England. Probably the English army would have become more insolent, if the Dutch force had been considerably diminished; and the king's magazines were so exhausted, that till new stores were provided, there was very little ammunition to spare. The raising new troops was a work of time. There was no ship of war in those seas, to secure the transport. And to send a small company of officers with some ammunition, which was all that could be done on the sudden, seemed to be an exposing them to the enemy. These considerations made him more easy to entertain a proposition that was made to him, as was believed, by the Temples; (for sir William had both a brother and a son that made then a considerable figure;) which was, to send over lieutenant-general Hamilton, one of the officers that belonged to Ireland. He was a papist, but was believed

\* This work is archbishop King's "State of the Protestants in Ireland under the late King James."



to be a man of honour; and he had certainly great credit with the earl of Tyrconnell. He had served in France with great reputation, and had a great interest in all the Irish, and was now in the prince's hands; and had been together with a body of Irish soldiers, whom the prince kept for some time as prisoners in the Isle of Wight; whom he gave afterwards to the emperor, though, as they passed through Germany, they deserted in great numbers, and got into France. Hamilton was a sort of prisoner of war. So he undertook to go over to Ireland, and to prevail with the earl of Tyrconnell to deliver up the government; and promised, that he would either bring him to it, or that he would come back, and give an account of his negotiation. This step had a very ill effect; for before Hamilton came to Dublin, the earl of Tyrconnell was in such despair, looking on all as lost, that he seemed to be very near a full resolution of entering on a treaty, to get the best terms that he could. But Hamilton's coming changed him quite. He represented to him, that things were turning fast in England in favour of the king; so that, if he stood firm, all would come round again. He saw that he must study to manage this so dextrously, as to gain as much time as he could, that so the prince might not make too much haste before a fleet and supplies might come from France. So several letters were written over by the same management, giving assurances that the earl of Tyrconnell was fully resolved to treat and submit. And, to carry this further, two commissioners were sent from the council-board to France. The one was a zealous protestant, the other was a papist. Their instructions were, to represent to the king the necessity of Ireland's submitting to England. The earl of Tyrconnell pretended, that in honour he could do no less than disengage himself to his master before he laid down the government. Yet he seemed resolved not to stay for an answer, or a consent; but that as soon as this message was delivered, he would submit upon good conditions: and for these, he knew, he would have all that he asked. With this management he gained his point, which was much time. And he now fancied, that the honour of restoring the king would belong chiefly to himself. Thus Hamilton, by breaking his own faith, secured the earl of Tyrconnell to the king; and this gave the beginning to the war of Ireland. Mountjoy, the protestant lord that was sent to France, instead of being heard to deliver his message, was clapped up in the Bastille; which, since he was sent in the name of a kingdom, was thought a very dishonourable thing, and contrary to the law of nations. Those who had advised the sending over Hamilton were now much out of countenance; and the earl of Clarendon was a loud declaimer against it. It was believed, that it had a terrible effect on sir William Temple's son, who had raised in the prince a high opinion of Hamilton's honour. Soon after that, he, who had no other visible cause of melancholy besides this, went in a boat on the Thames, near the bridge, where the river runs most impetuously, and leaped into the river and was drowned\*.

The sitting of the convention was now very near. And all men were forming their schemes, and fortifying their party all they could. The elections were managed fairly all England over. The prince did in no sort interpose in any recommendation, directly or indirectly. Three parties were formed about the town: the one was for calling back the king, and treating with him for such securities to our religion and laws, as might put them out of the danger for the future of a dispensing or arbitrary power. These were all of the high church party, who had carried the point of submission and non-resistance so far, that they thought nothing less than this could consist with their duty and their oaths. When it was objected to them, that, according to those notions that they had been possessed with, they ought to be for calling the king back without conditions: when he came, they might indeed offer him their petitions, which he might grant or reject as he pleased; but that the offering him conditions before he was recalled, was contrary to their former doctrine of unconditional allegiance. They were at such a stand upon this objection, that it was plain, they spoke of conditions, either in compliance with the humour of the nation; or that, with relation to their particular interest, nature was so strong in them, that it was too hard for their principle.

\* Sir John Reresby says that Mr. Temple was well married, steady, and accomplished. He had lately been appointed secretary of war by king William. When he drowned himself, he left a note in the boat to this effect: "My folly in undertaking what I could not perform,

whereby some misfortunes have befallen the king's service, is the cause of my putting myself to this sudden end; I wish him success in all his undertakings, and a better servant."—Reresby's Memoirs and Clarendon Correspondence.

When this notion was tossed and talked of about the town, so few went into it, that the party which supported it went over to the scheme of a second party : which was, that king James had, by his ill administration of the government, brought himself into an incapacity of holding the exercise of the sovereign authority any more in his own hand ; but, as in the case of lunatics, the right still remained in him : only the guardianship, or the exercise, of it was to be lodged with a prince regent : so that the right of sovereignty should be owned to remain still in the king, and that the exercise of it should be vested in the prince of Orange, as prince regent. A third party was for setting king James quite aside, and for setting the prince on the throne.

When the convention was opened on the twenty-fourth of January, the archbishop came not to take his place among them. He resolved neither to act for, nor against, the king's interest ; which, considering his high post, was thought very unbecoming. For if he thought, as by his behaviour afterwards it seems he did, that the nation was running into treason, rebellion, and perjury, it was a strange thing to see one, who was at the head of the church, sit silent all the while that this was in debate, and not once so much as declare his opinion by speaking, voting, or protesting, not to mention the other ecclesiastical methods that certainly became his character. But he was a poor spirited and fearful man, and acted a very mean part in all this great transaction. The bishops' bench was very full, as were also the benches of the temporal lords. The earls of Nottingham, Clarendon, and Rochester, were the men that managed the debates in favour of a regent, in opposition to those who were for setting up another king.

They thought this would save the nation, and yet secure the honour of the church of England and the sacredness of the crown. It was urged that if, upon any pretence whatsoever, the nation might throw off their king, then the crown must become precarious, and the power of judging the king must be in the people. This must end in a commonwealth. A great deal was brought from both the laws and history of England to prove that, not only the person, but the authority, of the king was sacred. The law had indeed provided a remedy of a regency for the infancy of our kings. So, if a king should fall into such errors in his conduct, as showed that he was as little capable of holding the government as an infant was, then the estates of the kingdom might, upon this parity of the case, seek to the remedy provided for an infant, and lodge the power with a regent. But the right was to remain, and to go on in a lineal succession : for, if that was once put ever so little out of its order, the crown would in a little time become elective ; which might rend the nation in pieces by a diversity of elections, and by the different factions that would adhere to the person whom they had elected. They did not deny but that great objections lay against the methods that they proposed. But affairs were brought into so desperate a state by king James's conduct, that it was not possible to propose a remedy that might not be justly excepted to. But they thought their expedient would take in the greatest, as well as the best, part of the nation : whereas all other expedients gratified a republican party, composed of the dissenters, and of men of no religion, who hoped now to see the church ruined, and the government set upon such a bottom, as that we should have only a titular king : who, as he had his power from the people, so should be accountable to them for the exercise of it, and should forfeit it at their pleasure. The much greater part of the house of lords was for this, and stuck long to it ; and so was about a third part of the house of commons. The greatest part of the clergy declared themselves for it.

But of those who agreed in this expedient it was visible there were two different parties. Some intended to bring king James back, and went into this as the most probable way for laying the nation asleep, and for overcoming the present aversion that all people had to him. That being once done, they reckoned it would be no hard thing, with the help of some time, to compass the other. Others seemed to mean more sincerely. They said they could not vote nor argue, but according to their own principles, as long as the matter was yet entire ; but they owned that they had taken up another principle, both from the law and from the history of England : which was, that they would obey and pay allegiance to the king for the time being. They thought a king thus *de facto* had a right to their obedience, and that they were bound to adhere to him, and to defend him, even in opposition to him with

whom they thought the right did still remain. The earl of Nottingham was the person that owned this doctrine the most during these debates. He said to myself, that though he could not argue, nor vote, but according to the scheme and principles he had concerning our laws and constitution, yet he should not be sorry to see his side out-voted ; and that, though he could not agree to the making a king as things stood, yet if he found one made he would be more faithful to him, than those that made him could be, according to their own principles.

The third party was made up of those who thought that there was an original contract between the kings and the people of England : by which the kings were bound to defend their people, and to govern them according to law ; in lieu of which the people were bound to obey and serve the king. The proof of this appeared in the ancient forms of coronations still observed : by which the people were asked if they would have that person before them to be their king ; and, upon their shouts of consent, the coronation was gone about. But, before the king was crowned, he was asked if he would not defend and protect his people, and govern them according to law : and, upon his promising and swearing this, he was crowned ; and then homage was done him. And, though of late the coronation has been considered rather as a solemn instalment, than that which gave the king his authority, so that it was become a maxim in law that the king never died, and that the new king was crowned in the right of his succession, yet these forms, that were still continued, showed what the government was originally. Many things were brought to support this from the British and Saxon times. It was urged that William the Conqueror was received upon his promising to keep the laws of Edward the Confessor, which was plainly the original contract between him and the nation. This was often renewed by his successors. Edward the Second and Richard the Second were deposed for breaking these laws ; and these depositions were still good in law, since they were not reversed, nor was the right of deposing them ever renounced or disowned. Many things were alleged, from what had passed during the barons' wars, for confirming all this. Upon which I will add one particular circumstance, that the original of king John's magna charta, with his great seal to it, was then given to me by a gentleman that found it among his father's papers, but did not know how he came by it : and it is still in my hands. It was said in this argument, what did all the limitations of the regal power signify, if upon a king's breaking through them all the people had not a right to maintain their laws and to preserve their constitution ? It was indeed confessed that this might have ill consequences, and might be carried too far. But the denying this right in any case whatsoever, did plainly destroy all liberty, and establish tyranny. The present alteration proposed would be no precedent but to the like case. And it was fit that a precedent should be made for such occasions, if those of Edward the Second and Richard the Second were not acknowledged to be good ones. It was said that if king James had only broken some laws, and done some illegal acts, it might be justly urged, that it was not reasonable on account of these to carry severities too far. But he had broken through the laws in many public and avowed instances : he had set up an open treaty with Rome : he had shaken the whole settlement of Ireland, and had put that island, and the English and protestants that were there, in the power of the Irish : the dispensing power took away not only those laws to which it was applied, but all other laws whatsoever by the precedent it had set, and by the consequences that followed upon it : by the ecclesiastical commission he had invaded the liberty of the church, and subjected the clergy to mere will and pleasure : and all was concluded by his deserting his people, and flying to a foreign power, rather than stay and submit to the determinations of a free parliament. Upon all which it was inferred, that he had abdicated the government, and had left the throne vacant : which therefore ought now to be filled, that so the nation might be preserved, and the regal government continued in it.

As to the proposition for a prince regent, it was argued that this was as much against monarchy, or rather more, than what they moved for. If a king's ill government did give the people a right in any case to take his power from him, and to lodge it with another, owning that the right to it still remained with him, this might have every whit as bad consequences as the other seemed to have : for recourse might be had to this violent remedy too



often and too rashly. By this proposition of a regent, here were to be upon the matter two kings at the same time: one with the title, and another with the power, of a king. This was both more illegal and more unsafe than the method they proposed. The law of England had settled the point of the subject's security in obeying the king in possession, in the statute made by Henry the Seventh. So every man knew he was safe under a king, and so would act with zeal and courage. But all such as should act under a prince regent, created by this convention, were upon a bottom that had not the necessary forms of law for it. All that was done by them would be thought null and void in law: so that no man could be safe that acted under it. If the oaths to king James were thought to be still binding, the subjects were by these not only bound to maintain his title to the crown, but all his prerogatives and powers. And therefore it seemed absurd to continue a government in his name, and to take oaths still to him, when yet all the power was taken out of his hands. This would be an odious thing, both before God and the whole world, and would cast a reproach on us at present, and bring certain ruin for the future on any such mixed and unnatural sort of government. Therefore, if the oaths were still binding, the nation was still bound by them, not by halves, but in their whole extent. It was said that, if the government should be carried on in king James's name, but in other hands, the body of the nation would consider him as the person that was truly their king. And if any should plot, or act, for him, they could not be proceeded against for high treason, as conspiring against the king's person or government; when it would be visible that they were only designing to preserve his person, and to restore him to his government. To proceed against any, or to take their lives for such practices, would be to add murder to perjury. And it was not to be supposed that juries would find such men guilty of treason. In the weakness of infancy, a prince regent was in law the same person with the king, who had not yet a will; and it was to be presumed the prince regent's will was the king's will. But that could not be applied to the present case, where the king and the regent must be presumed to be in a perpetual struggle: the one to recover his power, the other to preserve his authority. These things seemed to be so plainly made out in the debate that it was generally thought that no man could resist such force of argument, but those who intended to bring back king James. And it was believed that those of his party, who were looked on as men of conscience, had secret orders from him to act upon this pretence; since otherwise they offered to act clearly in contradiction to their own oaths and principles.

But those who were for continuing the government, and only for changing the persons, were not at all of a mind. Some among them had very different views and ends from the rest. These intended to take advantage from the present conjuncture, to depress the crown, to render it as much precarious and elective as they could, and to raise the power of the people upon the ruin of monarchy. Among those, some went so far as to say that the whole government was dissolved. But this appeared a bold and dangerous assertion: for that might have been carried so far as to infer from it that all men's properties, honours, rights, and franchises, were dissolved. Therefore it was thought safer to say that king James had dissolved the tie that was between him and the nation. Others avoided going into new speculations, or schemes of government. They thought it was enough to say that in extreme cases all obligations did cease; and that in our present circumstances the extremity of affairs, by reason of the late ill government, and by king James's flying over to the enemy of the nation, rather than submit to reasonable terms, had put the people of England on the necessity of securing themselves upon a legal bottom. It was said, that though the vow of marriage was made for term of life, and without conditions expressed, yet a breach in the tie itself sets the innocent party at liberty. So a king, who had his power both given him and defined by the law, and was bound to govern by law, when he set himself to break all laws, and in conclusion deserted his people, did, by so doing, set them at liberty to put themselves in a legal and safe state. There was no need of fearing ill consequences from this. Houses were pulled down or blown up in a fire, and yet men found themselves safe in their houses. In extreme dangers the common sense of mankind would justify extreme remedies; though there was no special provision that directed to them, or allowed of them. Therefore, they

said, a nation's securing itself against a king, who was subverting the government, did not expose monarchy, nor raise a popular authority, as some did tragically represent the matter.

There were also great disputes about the original contract : some denying there was any such thing, and asking where it was kept and how it could be come at. To this others answered that it was implied in a legal government : though in a long tract of time, and in dark ages, there was not such an explicit proof of it to be found. Yet many hints from law-books and histories were brought to show that the nation had always submitted and obeyed in consideration of their laws, which were still stipulated to them.

There were also many debates on the word "abdicate ;" for the commons came soon to a resolution, that king James, by breaking the original contract, and by withdrawing himself, had abdicated the government ; and that the throne was thereby become vacant. They sent this vote to the lords, and prayed their concurrence. Upon which many debates and conferences arose. At last it came to a free conference, in which, according to the sense of the whole nation, the commons had clearly the advantage on their side. The lords had some more colour for opposing the word "abdicate," since that was often taken in a sense that imported the full purpose and consent of him that abdicated, which could not be pretended in this case. But there were good authorities brought, by which it appeared that when a person did a thing upon which his leaving any office ought to follow, he was said to abdicate. But this was a critical dispute, and it scarcely became the greatness of that assembly, or the importance of the matter.

It was a more important debate, whether, supposing king James had abdicated, the throne could be declared vacant. It was urged that, by the law, the king did never die, but that with the last breath of the dying king, the regal authority went to the next heir. So it was said, that supposing king James had abdicated, the throne was (*ipso facto*) filled in that instant by the next heir. This seemed to be proved by the heirs of the king being sworn to in the oath of allegiance ; which oath was not only made personally to the king, but likewise to his heirs and successors. Those who insisted on the abdication, said, that if the king dissolved the tie between him and his subjects to himself, he dissolved their tie likewise to his posterity. An heir was one that came in the room of a person that was dead ; it being a maxim that no man can be the heir of a living man. If therefore the king had fallen from his own right, as no heir of his could pretend to any inheritance from him as long as he was alive, so they could succeed to nothing, but to that which was vested in him at the time of his death. And, as in the case of attainder, every right that a man was divested of before his death was, as it were, annihilated in him, and by consequence could not pass to his heirs by his death, not being then in himself : so if a king did set his people free from any tie to himself, they must be supposed to be put in a state, in which they might secure themselves ; and therefore could not be bound to receive one who they had reason to believe would study to dissolve and revenge all they had done. If the principle of self preservation did justify a nation in securing itself from a violent invasion, and a total subversion, then it must have its full scope to give a real, and not a seeming and fraudulent, security. They did acknowledge that upon the grounds of natural equity, and for securing the nation in after times, it was fit to go as near the lineal succession as might be : yet they could not yield that point, that they were strictly bound to it.

It was proposed that the birth of the pretended prince might be examined into. Some pressed this, not so much from an opinion that they were bound to assert his right if it should appear that he was born of the queen, as because they thought it would justify the nation, and more particularly the prince and the two princesses, if an imposture in that matter could have been proved. And it would have gone far to satisfy many of the weaker sort, as to all the proceeding against king James. Upon which I was ordered to gather together all the presumptive proofs that were formerly mentioned, which were all ready to have been made out. It is true, these did not amount to a full and legal proof ; yet they seemed to be such violent presumptions, that, when they were all laid together, they were more convincing than plain and downright evidence : for that was liable to the

suspicion of subornation ; whereas the other seemed to carry on them very convincing characters of truth and certainty. But when this matter was in private debated, some observed that, as king James, by going about to prove the truth of the birth, and yet doing it so defectively, had really made it more suspicious than it was before ; so, if there was no clear and positive proof made of an imposture, the pretending to examine into it, and then the not being able to make it out, beyond the possibility of contradiction, would really give more credit to the thing than it then had, and, instead of weakening it, would strengthen the pretension of his birth.

When this debate was proposed in the house of lords, it was rejected with indignation. He was now sent out of England to be bred up in France, an enemy both to the nation and to the established religion : it was impossible for the people of England to know whether he was the same person that had been carried over or not. If he should die, another might be put in his room, in such a manner that the nation could not be assured concerning him. The English nation ought not to send into another country, for witnesses to prove that he was their prince, much less receive one upon the testimony of such as were not only aliens, but ought to be presumed enemies. It was also known that all the persons, who had been the confidants in that matter, were conveyed away ; so it was impossible to come at them, by whose means only the truth of that birth could be found out. But while these things were fairly debated by some, there were others who had deeper and darker designs in this matter.

They thought it would be a good security for the nation, to have a dormant title to the crown lie as it were neglected, to oblige our princes to govern well, while they would apprehend the danger of a revolt to a pretender still in their eye. Wildman thought it was a deep piece of policy to let this lie in the dark and undecided. Nor did they think it an ill precedent that they should so neglect the right of succession, as not so much as to enquire into this matter. Upon all these considerations no further enquiry was made into it. It is true, this put a plausible objection in the mouth of all king James's party : here, they said, an infant was condemned, and denied his right, without either proof or enquiry. This still takes with many in the present age. And, that it may not take more in the next, I have used more than ordinary care to gather together all the particulars that were then laid before me as to that matter.

The next thing in debate was who should fill the throne. The marquis of Halifax intended, by his zeal for the prince's interest, to atone for his backwardness in not coming early into it : and, that he might get before lord Danby, who was in great credit with the prince, he moved, that the crown should be given to the prince, and to the two princesses after him. Many of the republican party approved of this ; for by it they gained another point : the people in this case would plainly elect a king, without any critical regard to the order of succession. How far the prince himself entertained this I cannot tell. But I saw it made a great impression on Bentinck. He spoke of it to me, as asking my opinion about it, but so that I plainly saw what was his own, for he gave me all the arguments that were offered for it ; as, that it was most natural that the sovereign power should be only in one person : that a man's wife ought only to be his wife : that it was a suitable return to the prince for what he had done for the nation : that a divided sovereignty was liable to great inconveniences : and, though there was less to be apprehended from the princess of anything of that kind than from any woman alive, yet all mortals were frail, and might at some time or other of their lives be wrought on.

To all this I answered, with some vehemence, that this was a very ill return for the steps the princess had made to the prince three years ago : it would be thought both unjust and ungrateful ; it would meet with great opposition, and give a general ill impression of the prince, as insatiable and jealous in his ambition : there was an ill humour already spreading itself through the nation, and through the clergy ; it was not necessary to increase this, which such a step, as was now proposed, would do out of measure : it would engage the one sex generally against the prince ; and in time they might feel the effects of that very sensibly ; and, for my own part, I should think myself bound to oppose it all I could, considering what had passed in Holland on that head. We talked over the whole thing for many



hours, till it was pretty far in the morning. I saw he was well instructed in the argument; and he himself was possessed with it. So next morning I came to him, and desired my *congé*. I would oppose nothing in which the prince seemed to be concerned, as long as I was his servant: and therefore I desired to be disengaged, that I might be free to oppose this proposition, with all the strength and credit I had. He answered me, that I might desire that, when I saw a step made; but till then he wished me to stay where I was. I heard no more of this, in which the marquis of Halifax was single among the peers; for I did not find there was any one of them of his mind, unless it was the lord Culpepper, who was a vicious and corrupt man, but made a figure in the debates that were now in the house of lords, and died about the end of them. Some moved, that the princess of Orange might be put on the throne; and that it might be left to her to give the prince such a share either of dignity or power as she should propose when she was declared queen. The agents of princess Anne began to go about, and to oppose any proposition for the prince to her prejudice; but she thought fit to disown them. Dr. Doughty, one of her chaplains, spoke to me in her room on the subject; but she said to myself, that she knew nothing of it.

The proposition, in which all that were for the filling the throne agreed at last, was, that both the prince and princess should be made conjunct sovereigns; but, for the preventing of any distractions, that the administration should be singly in the prince. The princess continued all the while in Holland, being shut in there, during the east winds, by the freezing of the rivers, and by contrary winds after the thaw came: so that she came not to England till all the debates were over. The prince's enemies gave it out, that she was kept there by order, on design that she might not come over to England to claim her right. So parties began to be formed, some for the prince, and others for the princess. Upon this the earl of Danby sent one over to the princess, and gave her an account of the present state of that debate; and desired to know her own sense of the matter; for, if she desired it, he did not doubt but he should be able to carry it, for setting her alone on the throne. She made him a very sharp answer: she said, she was the prince's wife, and would never be other, than what she should be in conjunction with him, and under him; and that she would take it extremely unkindly, if any, under a pretence of their care of her, would set up a divided interest between her and the prince. And, not content with this, she sent both lord Danby's letter, and her answer, to the prince. Her sending it thus to him was the most effectual discouragement possible, to any attempt for the future to create a misunderstanding or jealousy between them. The prince bore this with his usual phlegm: for he did not expostulate with the earl of Danby upon it, but continued still to employ, and to trust him; and afterwards he advanced him, first to be a marquis, and then to be a duke.

During all these debates, and the great heat with which they were managed, the prince's own behaviour was very mysterious. He stayed at St. James's: he went little abroad: access to him was not very easy. He heard all that was said to him, but seldom made any answers. He did not affect to be affable, or popular; nor would he take any pains to gain any one person over to his party. He said, he came over, being invited, to save the nation; he had now brought together a free and true representative of the kingdom: he left it therefore to them to do what they thought best for the good of the kingdom; and, when things were once settled, he should be well satisfied to go back to Holland again. Those who did not know him well, and who imagined that a crown had charms, which human nature was not strong enough to resist, looked on all this as an affectation, and as a disguised threatening, which imported, that he would leave the nation to perish, unless his method of settling it was followed. After a reservedness, that had continued so close for several weeks, that nobody could certainly tell what he desired, he called for the marquis of Halifax, and the earls of Shrewsbury and Danby, and some others, to explain himself more distinctly to them.

He told them, he had been till then silent, because he would not say, or do, any thing that might seem in any sort to take from any person the full freedom of deliberating and voting in matters of such importance: he was resolved neither to court nor threaten any one; and therefore he had declined to give out his own thoughts. Some were for putting the government in the hands of a regent; he would say nothing against it, if it was thought

the best mean for settling their affairs; only he thought it necessary to tell them, that he would not be the regent; so, if they continued in that design, they must look out for some other person to be put in that post: he himself saw what the consequences of it were likely to prove; so he would not accept of it: others were for putting the princess singly on the throne, and that he should reign by her courtesy: he said, no man could esteem a woman more than he did the princess; but he was so made, that he could not think of holding any thing by apron-strings; nor could he think it reasonable to have any share in the government, unless it was put in his person, and that for term of life: if they did think it fit to settle it otherwise, he would not oppose them in it; but he would go back to Holland, and meddle no more in their affairs. He assured them, that whatsoever others might think of a crown, it was no such thing in his eyes, but that he could live very well, and be well pleased without it. In the end, he said, that he could not resolve to accept of a dignity, so as to hold it only for the life of another; yet he thought that the issue of princess Anne should be preferred in the succession, to any issue that he might have by any other wife than the princess. All this he delivered to them in so cold and unconcerned a manner, that those who judged of others by the dispositions that they felt in themselves, looked on it all as artifice and contrivance.

This was presently told about, as it was not intended to be kept secret; and it helped not a little to bring the debates at Westminster to a speedy determination. Some were still in doubt with relation to the princess. In some it was conscience; for they thought the equitable right was in her. Others might be moved by interests, since if she should think herself wronged, and ill used in this matter, she, who was likely to outlive the prince, being so much younger and healthier than he was, might have it in her power to take her revenges on all that should concur in such a design. Upon this, I, who knew her sense of the matter very perfectly by what had passed in Holland, as was formerly told, was in a great difficulty. I had promised her never to speak of that matter, but by her order; but I presumed, in such a case I was to take orders from the prince. So I asked him what he would order me to do. He said, he would give me no orders in that matter, but left me to do as I pleased. I looked on this as the allowing me to let the princess's resolution in that be known, by which many, who stood formerly in suspense, were fully satisfied. Those to whom I gave the account of that matter were indeed amazed at it; and concluded, that the princess was either a very good, or a very weak woman. An indifferency for power and rule seemed so extraordinary a thing, that it was thought a certain character of an excess of goodness, or simplicity. At her coming to England, she not only justified me, but approved of my publishing that matter; and spoke particularly of it to her sister princess Anne. There were other differences in the form of the settlement. The republican party were at first for deposing king James by a formal sentence, and for giving the crown to the prince and princess by as formal an election. But that was overruled in the beginning. I have not pursued the relation of the debates, according to the order in which they passed, which will be found in the journal of both houses during the convention; but, having had a great share myself in the private managing of those debates, particularly with many of the clergy, and with the men of the most scrupulous and tender consciences, I have given a very full account of all the reasonings on both sides, as that by which the reader may form and guide his own judgment of the whole affair. Many protests passed in the house of lords, in the progress of the debate. The party for a regency was for some time most prevailing; and then the protests were made by the lords that were for the new settlement. The house was very full; about a hundred and twenty were present; and things were so near an equality, that it was at last carried by a very small majority, of two or three, to agree with the commons in voting the abdication, and the vacancy of the throne; against which a great protest was made; as also against the final vote, by which the prince and princess of Orange were desired to accept of the crown, and declared to be king and queen; which went very hardly\*. The

\* For particulars relating to this interesting period, see Parliamentary History; Evelyn's Diary; Clarendon Correspondence; Dalrymple's Memoirs; Reresby's Memoirs, &c. &c.

The following succinct account of the proceedings in parliament, after the king's departure, is extracted from the Harleian MSS. 1218. 37. D. pp. 132, 280. They coincide with all the authorities here referred to.—

poor bishop of Durham, who had absconded for some time, and was waiting for a ship to get beyond sea, fearing public affronts, and had offered to compound by resigning his bishopric, was now prevailed on to come, and by voting the new settlement, to merit at least a pardon

On the 11th of December, 1688, king James the Second was going privately by water from Whitehall to Gravesend, in order to depart beyond sea. The lords spiritual and temporal in and near the city of London, its lord mayor and aldermen, in consequence met the same day at Guildhall, to consult about the means of securing the laws, liberties, and religion of the country, and preserving the peace and tranquillity of the City. They first demanded the governor of the Tower to surrender it, which he did, and they appointed another governor until further orders. They then put forth a declaration, shewing their readiness to concur with his royal highness the prince of Orange, in attaining a free parliament, which will secure the laws, liberties, and property of all, and uphold the protestant religion; and also to desire him to hasten to England, and in the mean time they declare their resolution to preserve the peace of the country as much as possible, and to keep under the popish party. This declaration, by the hands of three temporal and one spiritual peers, was the same day despatched to the prince of Orange. The lords continued to meet daily in the council chamber, at Whitehall, and issued orders to all officers, "being protestants," to do their utmost to preserve the peace. On the 12th, this declaration was published, and on the same day they committed lord Jeffreys to the Tower. On the 13th, they summoned all protestant soldiers to their respective regiments; and the same day, news being brought that the king had been stopped at Faversham, they sent four peers to his majesty, to intreat and persuade him to return to Whitehall, with further directions, that if he refused, to attend his majesty on board any ship he might command, for the transporting his majesty whithersoever he pleased.

On the 21st, the lords assembled in council at St. James's, by desire of the prince of Orange, who came to them, and in a short speech requested them to advise of the best means of obtaining a free parliament, preserving the protestant religion, and restoring and settling the rights and liberties of the kingdom. After mutual compliments, the lords selected the following lawyers to advise with them, viz. sir John Holt, sir Robert Atkins, serjeant Maynard, Mr. Pollexfen, and Mr. Bradbury.

On the 22nd, they chose a chairman and secretary, *pro tempore*. There being present sixty-two peers, they issued an order for the departure, or confinement, of the papists of the neighbourhood of London.

On the 24th, lords Salisbury and Peterborough were sent by them to the Tower, and sundry popish priests and jesuits to Newgate. They then petitioned the prince of Orange to take upon him the management of affairs, and of the public revenue, until the meeting of the convention on the 22nd of the following January; and that he would issue circular letters, subscribed by himself, for the election of members to serve in that convention; and which, in other words, was to be a regularly elected house of commons, the writs to be directed to such returning officers as were protestant. On the same day, the prince published an order, because the necessity of affairs required speedy advice, summoning all such persons as had served as knights, citizens, or burgesses, in any of the parliaments held in the reign of Charles the Second, to attend on the 26th inst., at St. James's; and that the lord mayor, aldermen, and fifty of the common council of the city of London, to be there at the same time. On the 25th, the lords dissolved themselves, and resolved not to meet again until the convention.

On the 26th, various members of the parliaments in

the reign of Charles the Second, and the mayor, aldermen, and common council of the city, attended at St. James's, and the prince told them he sought their advice upon the best mode of obtaining a free parliament, &c. They then adjourned to the house of commons at Westminster, and chose a chairman. They then voted an address of thanks to the prince, and of request that he would take upon himself the government of public affairs, and direct an election of members to serve in parliament to be duly made.

On the 27th, the prince gave a favourable reply to these concordant addresses of the peers and commons; and on the 29th, the writs were issued.

The convention parliament met on the 22nd of January, and, upon motion in the house of commons, it was determined, *sem. con.*, that on the following Monday they would take into consideration the condition and state of the nation. Accordingly, on the 28th, the house resolved itself into a committee of the whole house, for the above purpose, and the following resolution agreed upon:

"Resolved—That king James the Second, having endeavoured to subvert the constitution of the kingdom, by breaking the original contract between the king and people, and, by the advice of the Jesuits and other wicked persons, having violated the fundamental laws, and having withdrawn himself out of this kingdom, has abdicated the government, and that the throne is thereby vacant."

This resolution was immediately carried up to the house of lords, for their concurrence.

On Sunday, the 2nd of February, the lords informed the commons of their assent to the above resolution, with these amendments, "Instead of the word *abdicated*, read *deserted*; and leave out the words, *and that the throne is thereby vacant*."

On the 4th, the commons met and refused their assent to these amendments, because, said they, "the word *deserted* doth not fully express the conclusion necessarily inferred from the premises to which your lordships have agreed. For your lordships have agreed that king James the Second has endeavoured to subvert the constitution of the kingdom, &c.; now the word *deserted* respects only the withdrawing, but the word *abdicated* respects the whole. If then," they continued, "king James the Second has abdicated, or even only deserted, the government, the throne is thereby vacant. 2dly. The commons conceive they need not prove to your lordships that as to any other person the throne is also vacant; your lordships, as they conceive, having already admitted it, by your addressing to the prince of Orange, on the 25th of December last, to take upon himself the administration of public affairs, both civil and military, &c. till the meeting of this convention; by your lordships renewing the same address to his highness since you met; and by appointing days of public thanksgiving to be observed throughout the whole kingdom."

Having thus concluded, the commons sought and obtained a conference of the lords upon the subject of the amendments; but the lords persisted in them, because the word *abdication* is a word unknown to the common law, and of doubtful interpretation—and because it implies a voluntary, express act of renunciation which is not in this case. Moreover, though they applied to the prince of Orange, as stated, yet no other inference can thence be drawn, but only that the exercise of the government by king James the Second is ceased; and though the lords were, and are, willing to secure the nation against his return, yet they do not, neither can, agree that there is



for all that he had done ; which, all things considered, was thought very indecent in him, yet not unbecoming the rest of his life and character.

But, before matters were brought to a full conclusion, an enumeration was made of the chief heads of king James's ill government. And in opposition to these, the rights and liberties of the people of England were stated. Some officious people studied to hinder this at that time. They thought they had already lost three weeks in their debates ; and the doing this, with the exactness that was necessary, would take up more time ; or it would be done too much in a hurry, for matters of so nice a nature. And therefore it was moved, that this should be done more at leisure after the settlement. But that was not hearkened

such an abdication, or such a vacancy in the throne, as thereby to render the crown elective : for, by the constitution of the government, the monarchy is hereditary and not elective, and no act of the king alone can bar or destroy the right of the heir to the crown ; therefore, if the throne be vacant of king James the Second, allegiance is due to such person as the right of succession belongs to.

It was then moved in the house that the amendments of the lords be agreed to. The first was negatived without a division, and the second was negatived by 282 to 151.

A free conference was then desired by the commons, and was granted by the lords ; the managers of which, on the part of the first, were sir Robert Howard, Mr. Pollexfen, Mr. Paul Foley, sir John Holt, lord Falkland, sir George Treby, Mr. Sommers, Mr. Garroway, Mr. Boscawen, Mr. Thomas Littleton, Mr. Palmer, Mr. Hampden, sir Henry Capel, sir Thomas Lee, Mr. Sacheverel, major Wyldman, colonel Birch, Mr. Eyres, sir Richard Temple, sir Henry Goodrich, Mr. Waller, sir John Guise.

The conference met on the 6th of February.

On the part of the commons it was urged, that though there was no express resignation in word or writing, yet there were overt acts quite as significant ; and though the common law has no notice of such a word as abdication, it was merely because the necessity for it was not contemplated. Again, the word *deserted* is of as doubtful meaning in our common law as the word *abdicated*. But the word *abdicated* is of well understood meaning, it signifies to renounce, throw off, disown, or relinquish anything or person, so as to have no further to do with it. In support of these opinions were quoted Grotius de Jure Belli et Pacis, b. ii. c. 4, s. 4. " Venit enim hoc non ex jure Civili sed ex jure Naturali, quod quisque potest abdicare et ex naturali presumptione quæ voluisse quis creditur quod sufficienter significavit : " and then he goes on, " recusari hereditas non tantum verbis sed etiam potest et quovis indicio voluntatis."

Calvin, in his Lexicon Juridicum, says, " Generum abdicat qui sponsam repudiat : " he that divorces his wife, abdicates his son-in-law. Brissonius, in his Commentaries, says, " abdicare se magistratum est idem quod abire penitus magistratu."

Again, Grotius de Jure Belli et Pacis, b. i. c. 4, s. 9, says, abdicare means, " manifeste habere pro redelicto."

On the other hand, " deserted," by all authorities, means merely a leaving, a leave withdrawing, a temporary quitting, a negligence which leaves the party at liberty to return to it again ; which neither the lords nor commons intended to be the case in the present instance.

With respect to the objection to declaring the throne vacant, Mr. Hampden made this question in answer, " If the throne is not vacant, will your lordships inform us who fills it ?"

The whole object of the lords, as intended by their amendments, was, after much discussion, cleared of all ambiguity by this enquiry by the earl of Nottingham : " What is meant by the commons by voting the throne to

be vacant ? Do you mean it is so vacant as to null the succession in the hereditary line, and so all the heirs to be cut off ? which, we say, will make the throne elective : " and, as he afterwards added, " Do you, gentlemen of the house of commons, mean by abdication a renouncing for himself, or for himself and heirs ? " To which many able replies were made and rejoindered upon : but none was so conclusive to the point as that of sir Robert Howard. " I would ask, he said, this question of any noble lord that is here : Had there been an heir to whom the crown had quietly descended in the line of succession, and this heir certainly known, would your lordships have assembled without his calling ? Would you have either administered the government yourselves, or have advised the prince of Orange to take it upon him ? I doubt," he continued, " you had been all guilty of high treason by the laws of England, if a known successor was in possession of the throne, as he must be if the throne was not vacant."

" We all know," proceeded the same intelligent man, " the monarchy is hereditary, but how to find out the successor in the line ? You think it will be a difficult thing to go upon the examination who is heir. I confess there are difficulties on all sides ; but, it not being clear, must we remain thus ? Use what words you will, fill it up, or nominate, or elect ; it is the thing we are to take care of, and it is high time it was done. My lords, there is no such consequence to be drawn from this vote as an intention or a likelihood of the altering the course of our government so as to make it elective ; there have been precedents of exclusions of the next heir, yet the throne hath all along descended in an hereditary succession, and the main constitution hath been preserved. My lords, you have already limited the succession, and have cut off some that might have a lineal right, for you have concurred with us in the vote that it is inconsistent with our religion and laws to have a papist to reign over us. Must we not then come to an election if the next heir be a papist ? Nay, suppose there was no protestant heir to be found, would not your lordships then break the line ? " Thomas Lee added, " It is plain your lordships were sensible we were without a government by your desiring the prince to take the administration ; and in calling this convention that power has been exercised which should be in all States, to make provision in all times and upon occasions for extraordinary cases and necessities." Mr. Sergeant Maynard added, " If we look but into the law of nature, which is above all human laws, we have enough to justify us in what we are now about, to provide for ourselves and the public weal in such an exigence as this."

Mr. Paul Foley said, if the whole royal line should fail, who would have the government but the lords and commons ? They being the only remaining apparent parts of the government, are alone fit to supply the defect by providing a successor. Eventually the conference ended without any conclusion ; but, on the following day, the house of lords informed the commons that they agreed to the vote of the latter, sent up on the 28th of January last, without any alteration.

to. It was therefore thought necessary to frame this instrument so, that it should be like a new magna charta. In the stating these grievances and rights, the dispensing power came to be discussed ; and then the power of the crown to grant a *non-obstante* to some statutes was objected. Upon opening this, the debate was found to be so intricate, that it was let fall at that time only for dispatch ; but afterwards an act passed condemning it singly ; and the power of granting a *non-obstante* was for the future taken away : yet king James's party took great advantage from this, and said, that though the main clamour of the nation was against the dispensing power, yet when the convention brought things to a settlement that did not appear to be so clear a point as had been pretended : and it was not so much as mentioned in this instrument of government ; so that, by the confession of his enemies, it appeared to be no unlawful power ; nor was it declared contrary to the liberties of the people of England. Whereas, its not being mentioned then, was only upon the opposition that was made, that so more time might not be lost, nor this instrument be clogged with disputable points.

The last debate was, concerning the oaths that should be taken to the king and queen. Many arguments were taken during the debate, from the oaths in the form in which the allegiance was sworn to the crown, to shew that in a new settlement these could not be taken. And to this it was always answered, that care should be taken, when other things were settled, to adjust these oaths, so that they should agree to the new settlement. In the oaths, as they were formerly conceived, a previous title seemed to be asserted, when the king was sworn to, " as rightful and lawful king." It was therefore said, that these words could not be said of a king who had not a precedent right, but was set up by the nation. So it was moved, that the oaths should be reduced to the ancient simplicity, of swearing to bear faith and true allegiance to the king and queen. This was agreed to. And upon this began the notion of a king *de facto*, but not *de jure*. It was said, that according to the common law, as well as the statute in king Henry the Seventh's reign, the subjects might securely obey any king that was in possession, whether his title was good, or not. This seemed to be a doctrine necessary for the peace and quiet of mankind, that so the subjects may be safe in every government that bringeth them under a superior force, and that will crush them, if they do not give a security for the protection that they enjoy under it. The lawyers had been always of that opinion, that the people were not bound to examine the titles of their princes, but were to submit to him that was in possession. It was therefore judged just and reasonable, in the beginning of a new government, to make the oaths as general and comprehensive as might be ; for it was thought, that those who once took the oaths to the government, would be after that faithful and true to it. This tenderness, which was shewed at this time, to a sort of people that had shewed very little tenderness to men of weak, or ill informed, consciences, was afterwards much abused by a new explanation, or rather a gross equivocation, as to the signification of the words in which the oath was conceived. The true meaning of the words, and the express sense of the imposers was, that, whether men were satisfied, or not, with the putting the king and queen on the throne, yet, now they were on it, they would be true to them, and defend them. But the sense that many put on them was, that they were only to obey them as usurpers, during their usurpation, and that therefore, as long as they continued in quiet possession, they were bound to bear them, and to submit to them ; but that it was still lawful for them to assist king James, if he should come to recover his crown, and that they might act and talk all they could, or durst, in his favour, as being still their king *de jure*. This was contrary to the plain meaning of the words ; " faith, and true allegiance ;" and was contrary to the express declaration in the act that enjoined them. Yet it became too visible, that many in the nation, and particularly among the clergy, took the oath in this sense, to the great reproach of their profession. The prevarication of too many in so sacred a matter contributed not a little to fortify the growing atheism of the present age. The truth was, the greatest part of the clergy had entangled themselves so far with those strange conceits of the divine right of monarchy, and the unlawfulness of resistance in any case ; and they had so engaged themselves, by asserting these things so often and so publicly, that they did not know how to disengage themselves in honour, or conscience.

A notion was started, which by its agreement with their other principles had a great effect

among them, and brought off the greatest number of those who came in honestly to the new government. This was chiefly managed by Dr. Lloyd, bishop of St. Asaph, now translated to Worcester. It was laid thus: the prince had a just cause of making war on the king; in that most of them agreed. In a just war, in which an appeal is made to God, success is considered as the decision of Heaven. So the prince's success against king James gave him the right of conquest over him; and by it all his rights were transferred to the prince. His success was indeed no conquest of the nation, which had neither wronged him, nor resisted him. So that, with relation to the people of England, the prince was no conqueror, but a preserver, and a deliverer, well received, and gratefully acknowledged. Yet with relation to king James, and all the right that was before vested in him, he was, as they thought, a conqueror. By this notion they explained those passages of scripture, that speak of God's disposing of kingdoms, and of pulling down one and setting up another; and also our Saviour's arguing from the inscription on the coin, that they ought to render to Cæsar the things that were Cæsar's; and St. Paul's charging the Romans to obey the powers that then were, who were the emperors that were originally the invaders of public liberty which they had subdued, and had forced the people and senate of Rome by subsequent acts to confirm an authority that was so ill begun. This might have been made use of more justly, if the prince had assumed the kingship to himself, upon king James's withdrawing; but did not seem to belong to the present case. Yet this had the most universal effect on the far greater part of the clergy.

And now I have stated all the most material parts of these debates, with the fulness that I thought became one of the most important transactions that is in our whole history, and by much the most important of our time.

All things were now made ready for filling the throne; and the very night before it was to be done the princess arrived safely. It had been given out, that she was not well pleased with the late transaction, both with relation to her father and to the present settlement. Upon which the prince wrote to her, that it was necessary she should appear at first so cheerful, that nobody might be discouraged by her looks, or be led to apprehend that she was uneasy, by reason of what had been done. This made her put on a great air of gaiety when she came to Whitehall, and, as may be imagined, had great crowds of all sorts coming to wait on her. I confess, I was one of those that censured this in my thoughts. I thought a little more seriousness had done as well, when she came into her father's palace, and was to be set on his throne next day. I had never seen the least indecency in any part of her deportment before; which made this appear to me so extraordinary, that some days after I took the liberty to ask her, how it came that what she saw in so sad a revolution, as to her father's person, made not a greater impression on her. She took this freedom with her usual goodness; and she assured me, she felt the sense of it very lively upon her thoughts. But she told me, that the letters which had been written to her had obliged her to put on a cheerfulness, in which she might perhaps go too far, because she was obeying directions, and acting a part which was not very natural to her\*. This was on the 12th of February, being

\* It may be reasonably granted that we ought to sacrifice our private wishes to our conviction of the interests of our country, but whilst we submit to the sacrifice, there is no reason why we should conceal that we possess the natural feelings of man, or shew any neglect of that decent deportment which ought to be suggested by our suffering. Neither of the princesses shewed this natural deportment for their father's misfortunes.

Lord Clarendon says, "I asked the princess Anne if she thought her father could justly be deposed? To which she said, those were too great points for her to meddle with; that she was very sorry the king had brought things to the pass they were at; but she was afraid it would not be safe for him ever to return again. I asked her what she meant by that? To which she replied, 'Nothing.' I then told her, I hoped her royal highness would not be offended if I took the liberty to tell her that many good people were extremely troubled to find she seemed no more concerned for her father's misfortune; that people

who were with her in her late progress took notice, that when the news came of the king being gone, she seemed not at all moved, but called for cards, and was as merry as she used to be: to which she replied, they did her wrong to make such reflections upon her actions; that it was true she did call for cards, because she used to play, and she never loved to do any thing that looked like an affected restraint. I answered, that I was sorry her royal highness should think, that shewing a trouble for the king, her father's misfortune, should be interpreted by any as an affected constraint; that I was afraid, such her behaviour rendered her much less in the opinion of the world, even with her father's enemies, than she ought to be."—Singer's Clarendon Corr. ii. 249.

Of queen Mary, when she first arrived at the palace from which her father had been compelled to retreat, Evelyn remarks, "She came into Whitehall laughing and jolly as to a wedding, so as to seem quite transported. She rose early the next morning, and in her undress, as it



Shrove-Tuesday. The thirteenth was the day set for the two houses to come with the offer of the crown. So here ends the Interregnum.

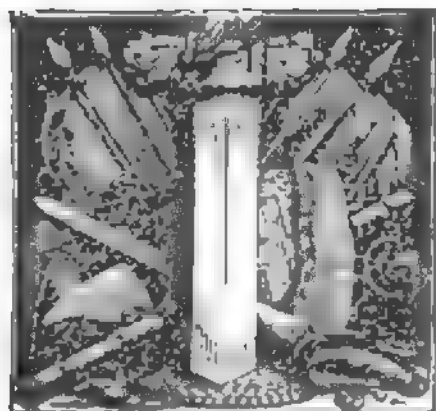
And thus I have given the fullest and most particular account that I could gather of all that passed during this weak, unactive, violent, and superstitious reign; in which all regard to the affairs of Europe seemed to be laid aside, and nothing was thought on but the spiteful humours of a revengeful Italian lady, and the ill laid, and worse managed, projects of some hot meddling priests, whose learning and politics were of a piece, the one exposing them to contempt, and the other to ruin; involving in it a prince, who, if it had not been for his being delivered up to such counsels, might have made a better figure in history. But they managed both themselves and him so ill, that a reign, whose rise was bright and prosperous, was soon set in darkness and disgrace. But I break off here, lest I should seem to aggravate misfortunes, and load the unfortunate too much.

was reported, before her women were up, went about from room to room to see the convenience of the house; lay in the same apartment where the queen lay, and within a night or two, sat down to play at basset, as the queen, her predecessor, used to do. This carriage was censured by many. She seems to be of a good nature, and that she takes nothing to heart; whilst the prince, her husband, has a thoughtful countenance, is wonderful

serious and silent, and seems to treat all persons alike gravely, and to be very intent on affairs."—(Evelyn's Diary, ii. 6.) The duchess of Marlborough confirms this statement; she says Mary "wanted bowels," and animadverted upon her behaviour when she first arrived at Whitehall, as being "very strange and unbecoming."—*Account of the Duchess of Marlborough's Conduct*, p. 13.

## BOOK V.

OF THE REIGN OF KING WILLIAM AND QUEEN MARY.



NOW begin, on the first day of May, 1705, to prosecute this work ; and have before me a reign, that drew upon it an universal expectation of great things to follow, from such auspicious beginnings ; and from so general a joy as was spread over these nations, and all the neighbouring kingdoms and states ; of whom some had apprehended a general depression, if not the total ruin, of the protestant religion ; and all of them saw such a progress made by the French in the design of enslaving the rest of Europe, that the check which the revolution in England seemed to promise, put a new life in those, who before were sunk in despair. It seemed to be a double-bottomed monarchy, where there were two joint sovereigns ; but those who knew the queen's temper and principles, had no apprehensions of divided counsels or of a distracted government.

That which gave the most melancholy prospect, was the ill state of the king's health, whose stay so long at St. James's without exercise, or hunting, which was so much used by him that it was become necessary, had brought him under such a weakness, as was likely to have very ill effects ; and the face he forced himself to set upon it, that it might not appear too much, made an impression on his temper. He was apt to be peevish ; it put him under a necessity of being much in his closet, and of being silent and reserved ; which, agreeing so well with his natural disposition, made him go off from what all his friends had advised, and he had promised them he would set about, of being more visible, open, and communicative. The nation had been so much accustomed to this, in the two former reigns, that many studied to persuade him, it would be necessary for his affairs to change his way, that he might be more accessible, and freer in his discourse. He seemed resolved on it ; but he said, his ill health made it impossible for him to execute it : and so he went on in his former way, or rather he grew more retired, and was not easily come at, nor spoken to. And in a very few days, after he was set on the throne, he went out to Hampton-court ; and from that palace he came into town only on council days : so that the face of a court, and the rendezvous, usual in the public rooms, was now quite broken. This gave an early and general disgust. The gaiety and the diversions of a court disappeared ; and, though the queen set herself to make up what was wanting in the king, by a great vivacity and cheerfulness, yet when it appeared that she meddled not in business, so that few found their account in making their court to her, though she gave a wonderful content to all that came near her, yet few came.

The king found the air of Hampton-court agreed so well with him, that he resolved to live the greatest part of the year there : but that palace was so very old built, and so irregular, that a design was formed of raising new buildings there for the king and the queen's apartments. This shewed a resolution to live at a distance from London ; and the entering so soon on so expensive a building, afforded matter of censure to those who were disposed enough to entertain it. And this spread a universal discontent in the city of London : and these small and almost indiscernible beginnings and seeds of ill humour, have ever since gone on in a very visible increase and progress.

The first thing the king did, was, to choose a ministry, and to settle a council. The earl of Shrewsbury was declared secretary of state, and had the greatest share of the king's confidence. No exception could be made to the choice, except on account of his youth ; but he

applied himself to business with great diligence, and maintained his candour and temper with more reservedness than was expected from one of his age. It was for some time under consideration who should be the other secretary; at last the earl of Nottingham was pitched on. He had opposed the settlement with great earnestness, in his copious way of speaking; but he had always said, that, though he would not make a king, yet upon his principles, he could obey him better than those who were so much set on making one\*. The high church party did apprehend that the opposition they had given the king's advancement, and the zeal that others had shewed for it, would alienate him from them, and throw him into other hands, from whom no good was to be expected for them: and they looked for severe revenges for the hardships they had put on these in the end of king Charles's reign. This grew daily upon that party, and made them begin to look back toward king James. So, not to provoke so great a body too much, it was thought advisable to employ the earl of Nottingham. The great increase of chancery business had made many apprehend it was too much to be trusted to one person; so it was resolved to put the chancery in commission; and the earl of Nottingham was proposed to be the first in the commission, but he refused it. So Maynard, Keck, and Rawlinson, three eminent lawyers, were made the three commissioners of the great seal. And soon after that, the earl of Nottingham was appointed secretary of state. This gave as much satisfaction to all the high party, as it begot jealousies and distrust in others. The one hoped for protection and favour by his means: they reckoned he would infuse all the prerogative notions into the king, and give him such a jealousy of every step that the others should make in prejudice of these, that from thence the king would see cause to suspect all the shew of kindness that they might put on to him, when at the same time they were undermining some of those prerogatives, for which the earl of Nottingham seemed to be so zealous. This had a great effect on the king, who being ignorant of our constitution, and naturally cautious, saw cause enough to dislike the heat he found among those who expressed much zeal for him, but who seemed, at the same time, to have with it a great mixture of republican principles. They, on the other hand, were much offended at the employing the earl of Nottingham. And he gave them daily cause to be more displeased at it; for he set himself with a most eager partiality against the whole party, and against all the motions made by them; and he studied to possess the king with a very bad opinion of them. And, whereas secretaries of state have a particular allowance for such spies, as they employ to procure intelligence, how exact soever he might be in procuring foreign intelligence, he spared no cost nor pains to have an account of all that passed in the city, and in other angry cabals: and he furnished the king very copiously that way; which made a deep impression on him, and had very bad effects. The earl of Danby was made marquis of Carmarthen, and president of the council; and lord Halifax had the privy seal†. The last of

\* Daniel Finch, earl of Nottingham, and afterwards of Winchelsea, was one of the most conscientious men that ever assisted in the council of an English monarch. He was born about the year 1647. Very early in life at Christ Church, Oxford, and the Inner Temple, he was proportionately young when introduced to state affairs; distinguished as a parliamentary orator, he soon acquired the notice of James the Second, who made him a privy councillor and first commissioner of the admiralty. Every act of his life was consistent. He signed the order for proclaiming James the Second; but opposed the abrogation of the test act, and maintained the cause of the seven bishops. His opinions relative to the revolution have been already noticed; William the Third appreciated his integrity, and would have made him lord chancellor, an office his father had so ably filled; this he declined, but accepted the office of a state secretary. The impotent pardon issued by James in 1692, excepted the earl from those who were forgiven. When jealousies and intrigues induced him to resign, and his character and conduct were examined, it arose resplendent from the scrutiny; not a charge of peculation could be discovered, but, on the contrary, it was proved that he had rejected a douceur of

10,000*l.* from the East-India company. He opposed, and was affected even to weeping, by the abjuration of the son of James the Second; yet he submitted to queen Anne's government, and was re-appointed to the secretaryship. Both houses of parliament passed votes of approbation upon him at the time. In 1704 we shall find he resigned, but at the accession of George the First, was made a lord-justice, and lord-president of the council. In 1715, his humanity deprived him of his office, for he was dismissed because he pleaded for the peers, who attempted to restore the Stuarts. The earl was a firm supporter of the protestant faith. The university of Oxford, in full convocation, unanimously thanked him for his "Defence of the Christian Faith, contained in his lordship's answer to Mr. Whiston's letter to him, concerning the eternity of the Son of God, and the Holy Ghost." He died on the first day of 1730. According to Noble, he had, by his second wife, thirty children.—Noble's Continuation of Grainger; Birch's Lives; Wood's Athenæ Oxon.; Clarendon Correspondence.

† A clear insight into the character of this self-interested nobleman may be found in Sir John Reresby's "Memoirs."



ess had gone into all the steps that had been made for the king, with great zeal, and by that means was hated by the high party, whom for distinction sake I will hereafter call Tories, and the other Whigs; terms that I have spoken much against, and have ever hated: but to avoid making always a longer description, I must use them; they being now become as common as if they had been words of our language. Lord Halifax soon saw that his friendship with the Whigs was not likely to last long; his opposing the exclusion stuck still deeply with them; and the business of the quo warrantos, and the delivering up of charters, was cast on him: the slowness of relieving Ireland was also charged on him; he had for some time great credit with the king, though his mercurial wit was not well suited with the king's phlegm. Lord Carmarthen could not bear the equality, or rather the preference that seemed to be given to lord Halifax; and therefore set on the storm that quickly broke out upon him.

Lord Mordaunt was made earl of Monmouth, and first commissioner of the treasury; and lord Delamere, made earl of Warrington\*, was chancellor of the exchequer: lord Godolphin was likewise brought into the treasury, to the great grief of the other two, who soon saw, that the king considered him more than them both. For, as he understood treasury business well, so his calm and cold way suited the king's temper. The earls of Monmouth and Warrington, though both most violent Whigs, became great enemies; the former was generous, and gave the inferior places freely; but sought out the men who were most noted for republican principles, for them all: and the other, they said, sold every thing that was in his power. The privy council was composed chiefly of Whigs.

Nothing gave a more general satisfaction than the naming of the judges; the king ordered every privy councillor to bring a list of twelve: and, out of these, twelve very learned and worthy judges were chosen. This nomination was generally well received over the nation. The first of these was sir John Holt, made lord chief justice of England, then a young man for so high a post, who maintained it all his time with a high reputation for capacity, integrity, courage, and great dispatch. So that, since the lord chief justice Hale's time, that bench has not been so well filled, as it was by him.

The king's chief personal favour lay between Bentinck and Sidney: the former was made earl of Portland and groom of the stole, and continued for ten years to be entirely trusted by the king, and served him with great fidelity and obsequiousness; but he could never bring himself to be acceptable to the English nation†. The other was made first, lord Sidney,

\* He was not made earl of Warrington till after his removal from the office of chancellor of the exchequer.

Henry Booth, lord Delamere, was a son of the loyal but unfortunate sir George Booth, who took up arms in favour of Charles the Second, during the protectorate. He was born in 1651, at the family residence in Cheshire, which county he represented zealously in parliament; promoting the exclusion bill, for which, we have seen in previous pages, he was brought into trouble during the reign of James the Second. At the revolution, besides the chancellorship of the exchequer, he was appointed to the lord lieutenancy of Cheshire. At Whittington, in Derbyshire, a farm house is shewn, where he and the earls of Devonshire and Danby are said to have met, and consulted how they might assist the cause of the prince of Orange. One room is still called by the peasantry there "the plotting parlour."—(Dr. Akenaide's Ode addressed to the earl of Huntingdon.) He published several tracts; one, entitled "The late Lord Russell's Case, with observations," throws light upon the history of the period. He died in 1694.—Kippis's Biog. Britannica; Grainger.

† William Bentinck, descended from a noble family in Guelderland, was born about the year 1649. He was liberally educated, and then placed as page of honour to the prince of Orange. Whilst holding this situation, he acted with a devoted heroism for the benefit of the prince, that secured to him his highness's perpetual friendship and favour. The prince was ill of the small pox, and the pustules not freely rising, to promote the eruption a

healthy boy was recommended to be placed with him in bed. Young Bentinck immediately volunteered to undergo this dangerous office; the desired effect was produced, but he was infected, and nearly died of the disorder. The esteem thus gained was secured and strengthened in after-life by the ability, integrity, and prudence, exhibited by Bentinck. He came with the prince when he married the princess Mary; he was the ambassador to warn James the Second of Monmouth's invasion. In Holland, he held a superior office in the prince's household, and the command of the 1st regiment of guards. He shewed extreme intelligence in holding communication with the English protestants previous to the revolution, as well as in the arrangements preliminary to this constitutional effort; and when it was completed, he received the offices of groom of the stole, keeper of the privy-purse, and a privy councillor; and, being naturalised, was raised to the peerage as earl of Portland, knight of the garter, and lieutenant-general of the forces. For a long time he continued first favourite, and was employed upon the most delicate embassies, &c. During one of these, at Paris, he was shewn, in the royal palace, Le Brun's series of paintings, illustrative of Louis the Fourteenth's victories, and was asked whether William's were to be seen in his residence. "No," replied Bentinck, "the monuments of my master's actions are to be seen everywhere but in his palace." Naturally of a reserved temper, and consequently suspected of pride; ignorant of our customs and language; and viewed with jealousy as a foreigner; he did not want enemies, and

and then earl of Rumney, and was put in several great posts. He was made secretary of state, lord-lieutenant of Ireland, and master of the ordnance; but he was so set on pleasure, that he was not able to follow business with a due application. The earls of Devonshire and Dorset had the white staffs: the first was lord steward, and the other was lord chamberlain; and they being both whigs, the household was made up of such, except where there were buyers for places, which were set to sale; and though the king seemed to discourage that, yet he did not encourage propositions that were made for the detecting those practices. Thus was the court, the ministry, and the council composed. The admiralty was put in commission, and Herbert, made earl of Torrington, was first in the commission. He tried to dictate to the board; and when he found that did not pass upon them, he left it, and studied all he could to disparage their conduct, and it was thought he hoped to have been advanced to that high trust alone.

The first thing proposed to be done was to turn the convention into a parliament, according to the precedent set in the year 1660. This was opposed by all the Tories. They said writs were indispensable to the being of a parliament. And though the like was done at the restoration, yet it was said that the convention was then called when there was no king nor great seal in England; and it was called by the consent of the lawful king, and was done upon a true and visible, and not on a pretended, necessity; and they added, that after all, even then the convention was not looked on as a legal parliament: its acts were ratified in a subsequent parliament, and from thence they had their authority. So it was moved that the convention should be dissolved, and a new parliament summoned; for in the joy which accompanied the revolution, men well affected to it were generally chosen; and it was thought that the damp, which was now spread into many parts of the nation, would occasion great changes in a new election. On the other hand, the necessity of affairs was so pressing, that no time was to be lost; a delay of forty days might be the total loss of Ireland, and stop all our preparations at sea; nor was it advisable, in so critical a time, to put the nation into the ferment, which a new election would occasion. And it was reasonable to expect that those who had set the king on the throne would be more zealous to maintain him there than any new set of men could possibly be; and those who submitted to a king, *de facto*, must likewise submit to a parliament, *de facto*. So the bill passed; and a day was set for the call of both houses, and for requiring the members to take the oaths.

Eight bishops absented themselves; who were Sancroft of Canterbury, Thomas of Worcester, Lake of Chichester, Turner of Ely, Lloyd of Norwich, Ken of Bath and Wells, Frampton of Gloucester, and White of Peterborough. But, in the meanwhile, that they might recommend themselves by a show of moderation, some of them moved the house of lords, before they withdrew from it, for a bill of toleration, and another of comprehension; and these were drawn and offered by the earl of Nottingham: and, as he said to me, they wore the same that he had prepared for the house of commons in king Charles's time, during the debates of the exclusion; but then things of that kind were looked on as artifices to lay the heat of that time, and to render the church party more popular. After those motions were made, the bishops that were in the house withdrew; Sancroft, Thomas, and Lake, never came; the two last died soon after. Ken was a man of a warm imagination; and, at the time of the king's first landing, he declared heartily for him, and advised all the gentlemen that he saw to go and join with him. But, during the debates in the convention, he went with great heat into the notion of a prince regent. And now, upon the call of the house, he withdrew into his diocese. He changed his mind again, and wrote a paper, persuading the clergy to take the oaths, which he showed to Dr. Whitby, who read it, as the doctor has told me often. His chaplain, Dr. Eyre, did also tell me that he came with him to London, where at first he owned he was resolved to go to the house of lords, and to take

these succeeded in supplanting him in the king's favour by Arnold van Keppel, afterwards earl of Albemarle. Bentinck, however, never lost William's highest esteem; on his deathbed he sent for his old supporter; but the power of speech was gone when he arrived, and the prince

could only shew his regard by pressing to his breast Bentinck's hand. The earl then withdrew into private life, where he was distinguished for his benevolence and liberality. He died in 1709.—*Biog. Britannica*; *Shrewsbury Correspondence*; Noble's continuation of *Grainger*.

the oaths. But the first day after he came to town, he was prevailed on to change his mind ; and he has continued ever since in a very warm opposition to the government. Sancroft went on in his inactive state, still refusing the oaths, but neither acting nor speaking, except in great confidence, to any against their taking them. These bishops did one thing very inconsistent with their other actions, and that could not be easily reconciled to the rules of good conscience. All presentations are directed to bishops, or to their chancellors ; but, by a general agreement in the year 1660, the bishops resolved to except out of the patents, that they gave their chancellors, the power of giving institution into cures, which before that, the chancellors were empowered to give in the bishop's absence. Now the bishops were bound to see that the clergy, before they gave them institution, took the oaths to the government. In order therefore to decline the doing this, and yet avoid the actions of *quare impedit*, that they would be liable to, if they did not admit the clerks presented to them, they gave new patents to their chancellors, empowering them to give institution ; which they knew could not be done but by tendering the oaths. So they gave authority to laymen to admit men to benefices, and to do that which they thought unlawful, as was the swearing to an usurper against the lawful king. Thus it appeared, how far the engagement of interest and parties can run men into contradictions.

Upon the bishops refusing the oaths, a bill was brought into the house of commons, requiring all persons to take them by a prefixed day, under several forfeitures and penalties. The clergy that took them not were to fall under suspension for six months, and at the end of those they were to be deprived. This was followed with a particular eagerness by some, who were known enemies to the church : and it was then generally believed, that a great part of the clergy would refuse the oaths. So they hoped to have an advantage against the church by this means. Hambden persuaded the king to add a period to a speech he made, concerning the affairs of Ireland, in which he proposed the admitting all protestants to serve in that war. This was understood to be intended for taking off the sacramental test, which was necessary by the law to qualify men for employments, and was looked on as the chief security the church of England had, as it excluded dissenters from all employments. And it was tried, if a bargain could be made, for excusing the clergy from the oaths, provided the dissenters might be excused from the sacrament. The king put this into his speech, without communicating it to the ministry, and it had a very ill effect. It was not only rejected by a great majority in both houses, but it very much heightened the prejudices against the king, as bearing no great affection to the church of England, when he proposed the opening such a door, which they believed would be fatal to them. The rejecting this made the act imposing the oaths to be driven on with the more zeal. This was in debate when I came into the house of lords ; for Ward, bishop of Salisbury, died this winter : many spoke to the king in my favour, without my knowledge. The king made them no answer ; but a few days after he was set on the throne, he of his own motion named me to that see ; and he did it in terms more obliging than usually fell from him. When I waited on the queen, she said, she hoped I would now put in practice those notions with which I had taken the liberty often to entertain her. All the forms of the *cong  -d  lire*, and my election, were carried on with dispatch. But a great difficulty was in view. Sancroft would not see me ; and he refused to consecrate me ; so, by law, when the mandate was brought to him, upon not obeying it, he must have been sued in a *premunire* ; and for some days he seemed determined to venture that ; but, as the danger came near, he prevented it, by granting a commission to all the bishops of his province, or to any three of them, in conjunction with the bishop of London, to exercise his metropolitical authority during pleasure. Thus he did authorise others to consecrate me, while yet he seemed to think it an unlawful act. This was so mean, that he himself was ashamed of it afterwards ; but he took an odd way to overthrow it, for he sent for his original warrant ; and so took it out of the office, and got it into his own hands.

I happened to come into the house of lords, when two great debates were managed with much heat in it. The one was about the toleration and comprehension, and the other was about the imposing the oaths on the clergy. And I was engaged, at my first coming there, to bear a large share in both.



That which was long insisted on, in the house of lords, was, that instead of the clause positively enacting, that the clergy should be obliged to take the oaths, the king might be empowered to tender them, and then the refusal was to be punished according to the clause, as it stood in the act. It was thought such a power would oblige them to their good behaviour, and be an effectual restraint upon them: they would be kept quiet at least by it; whereas, if they came under deprivation, or the apprehensions of it, that would make them desperate, and set them on to undermine the government. It was said, that the clergy, by the offices of the church, did solemnly own their allegiance to God, in the sight of all their people; that no oath could lay deeper engagements on them than those acts of religious worship did; and if they should either pass over those offices, or perform them, otherwise than as the law required, there was a clear method, pursuant to the act of uniformity, to proceed severely against them. It was also said, that in many different changes of government, oaths had not proved so effectual a security as was imagined; distinctions were found out, and senses were put on words, by which they were interpreted so, as to signify but little, when a government came to need strength from them; and it ill became those who had formerly complained of these impositions, to urge this with so much vehemence. On the other hand, it was urged, that no man ought to be trusted by a government, chiefly in so sacred a concern, who would not give security to it; especially, since the oath was brought to such low and general terms. The expedient that was proposed would put a hardship upon the king, which was always to be carefully avoided. The day prefixed was at the distance of some months; so that men had time sufficient given them to study the point: and, if in that time they could not satisfy themselves, as to the lawfulness of acknowledging the government, it was not fit that they should continue in the highest posts of the church. An exception of twelve was proposed, who should be subject to the law, upon refusing the oaths when required to it by the king; but that was rejected; and all the mitigation that was obtained was a power to the king to reserve a third part of the profits of any twelve benefices he should name, to the incumbents who should be deprived by virtue of this act; and so it passed. I was the chief manager of the debate in favour of the clergy, both in the house of lords, and at the conferences with the commons; but, seeing it could not be carried, I acquiesced the more easily; because, though in the beginning of these debates I was assured, that those who seemed resolved not to take the oaths, yet prayed for the king in their chapels; yet I found afterwards this was not true, for they named no king, nor queen, and so it was easy to guess whom they meant by such an indefinite designation. I also heard many things, that made me conclude they were endeavouring to raise all the opposition to the government possible.

The bill of toleration passed easily. It excused dissenters from all penalties for their not coming to church, and for going to their separate meetings. There was an exception of Socinians; but a provision was put in it, in favour of quakers; and, though the rest were required to take the oaths to the government, they were excused upon making in lieu thereof a solemn declaration. They were to take out warrants for the houses they met in; and the justices of peace were required to grant them. Some proposed that the act should only be temporary, as a necessary restraint upon the dissenters, that they might demean themselves so as to merit the continuance of it, when the term of years now offered should end. But this was rejected; there was now an universal inclination to pass the act; but it could not be expected that the nation would be in the same good disposition towards them at another time. I shewed so much zeal for this act, as very much sunk my credit, which had arisen from the approbation I had gained, for opposing that which enacted the taking the oaths. As for the act of comprehension, some progress was made in it; but a proviso was offered, that, in imitation of the acts passed in king Henry the Eighth's and king Edward the Sixth's time, a number of persons, both of the clergy and laity, might be empowered to prepare such a reformation of things, relating to the church, as might be offered to king and parliament, in order to the healing our divisions, and the correcting what might be amiss, or defective, in our constitution. This was pressed with great earnestness by many of the temporal lords. I at that time did imagine, that the clergy would have come into such a design with zeal and unanimity; and I feared this would be looked on by them as taking

the matter out of their hands ; and for that reason I argued so warmly against this, that it was carried by a small majority to let it fall. But I was convinced soon after, that I had taken wrong measures, and that the method proposed by these lords was the only one likely to prove effectual ; but this did not so recommend me to the clergy as to balance the censure I came under, for moving, in another proviso of that bill, that the subscription, instead of assent and consent, should only be to submit with a promise of conformity. There was a proviso likewise, in the bill, for dispensing with kneeling at the sacrament, and being baptized with the sign of the cross, to such as, after conference upon those heads, should solemnly protest they were not satisfied as to the lawfulness of them. That concerning kneeling, occasioned a vehement debate ; for the posture being the chief exception that the dissenters had, the giving up this was thought to be the opening a way for them to come into employments : yet it was carried in the house of lords. And I declared myself zealous for it : for, since it was acknowledged that the posture was not essential in itself, and that scruples, how ill grounded soever, were raised upon it, it seemed reasonable to leave the matter as indifferent in its practice as it was in its nature.

Those who had moved for this bill, and afterwards brought it into the house, acted a very disingenuous part ; for, while they studied to recommend themselves by this shew of moderation, they set on their friends to oppose it ; and such as were very sincerely and cordially for it, were represented as the enemies of the church, who intended to subvert it. When the bill was sent down to the house of commons, it was laid on the table ; and, instead of proceeding in it, they made an address to the king, for summoning a convocation of the clergy to attend, according to custom, on the session of parliament. The party that was now beginning to be formed against the government, pretended great zeal for the church, and declared their apprehensions that it was in danger, which was imputed by many to the earl of Nottingham's management. These, as they went heavily into the toleration, so they were much offended with the bill of comprehension, as containing matters relating to the church, in which the representative body of the clergy had not been so much as advised with.

Nor was this bill supported by those who seemed most favourable to the dissenters ; they set it up for a maxim, that it was fit to keep up a strong faction both in church and state ; and they thought it was not agreeable to that, to suffer so great a body as the presbyterians to be made more easy, or more inclinable to unite to the church ; they also thought that the toleration would be best maintained when great numbers should need it, and be concerned to preserve it ; so this good design being zealously opposed, and but faintly promoted, it fell to the ground.

The clergy began now to shew an implacable hatred to the nonconformists, and seemed to wish for an occasion to renew old severities against them ; but wise and good men did very much applaud the quieting the nation by the toleration. It seemed to be suitable, both to the spirit of the Christian religion, and to the interest of the nation. It was thought very unreasonable, that, while we were complaining of the cruelty of the church of Rome, we should fall into such practices among ourselves ; chiefly, while we were engaging in a war, in the progress of which we would need the united strength of the whole nation.

This bill gave the king great content. He in his own opinion always thought, that conscience was God's province, and that it ought not to be imposed on ; and his experience in Holland made him look on toleration as one of the wisest measures of government : he was much troubled to see so much ill humour spreading among the clergy, and by their means over a great part of the nation. He was so true to his principle herein, that he restrained the heat of some who were proposing severe acts against papists. He made them apprehend the advantage which that would give the French, to alienate all the papists of Europe from us ; who from thence might hope to set on foot a new catholic league, and make the war a quarrel of religion ; which might have very bad effects. Nor could he pretend to protect the protestants in many places of Germany, and in Hungary, unless he could cover the papists in England from all severities on the account of their religion. This was so carefully infused into many, and so well understood by them, that the papists have enjoyed the real effects of the toleration, though they were not comprehended within the statute that enacted it.

not likely to pass in the house of lords ; so it was let lie on the table. By this likewise, which was chiefly promoted by the Whigs, the king came to think, that those who had raised him to the throne, intended to depress his prerogative as much as they had exalted his person. He seemed to grow tender and jealous upon these points, the importance of every one of them being much aggravated by the earl of Nottingham, who had furnished him with a scheme of all the points of the prerogative, and of their dependence one upon another ; and he seemed so possessed with this, that many of those who had formerly most of his confidence, found a coldness growing upon him, which increased their disgust, and made them apprehend they should again see a reign full of prerogative maxims. One thing the house of commons granted, which was very acceptable to the king ; they gave the States about 600,000*l.* for the charge they had been at in the fleet and army, which they furnished the king with at the revolution.

They could not be brought to another point, though often and much pressed to it by the king. He thought nothing would settle the minds of the nation so much as an act of indemnity, with proper exceptions of some criminals that should be left to justice. Jeffreys was in the Tower ; Wright, who had been lord chief justice, and some of the judges, were in Newgate ; Graham and Burton, who had been the wicked solicitors in the former reigns, were in prison ; but the hottest of the Whigs would not set this on. They thought it best to keep many under the lash ; they intended severe revenges for the blood that had been shed, and for the many unjust things that had been done in the end of king Charles's reign ; they saw, that the clogging the indemnity, with many comprehensive exceptions, would create king James a great party ; so they did not think it proper to offer at that ; yet they resolved to keep them still in their power till a better opportunity for falling on them should offer itself : therefore they proceeded so slowly in that matter, that the bill could not be brought to a ripeness during this session. It is true the great mildness of the king's temper, and the gentleness of his government, which was indeed rather liable to censure, as being too remiss, set people's minds much at ease ; and, if it gave too much boldness to those who began to set up an open opposition to him, yet it gained upon the greater part of the nation, who saw none of those moving spectacles that had been so common in former reigns ; and all promised themselves happy days under so merciful a prince. But angry men put a wicked construction on the earnestness the king shewed for an act of indemnity : they said, he intended to make use of a set of prerogative men, as soon as legally he could ; and therefore he desired the instruments of king James's illegal government might be once secured, that so he might employ them. The earls of Monmouth and Warrington were infusing jealousies of the king into their party with the same industry that the earl of Nottingham was, at the same time instilling into the king jealousies of them ; and both acted with too much success, which put matters much out of joint ; for though the earls of Shrewsbury and Devonshire did all they could to stop the progress and effects of those suspicions with which the Whigs were possessed, yet they had not credit enough to do it. The earl of Shrewsbury, though he had more of the king's favour, yet he had not strength to resist the earl of Nottingham's pompous and tragical declamations\*.

There was a bill of great importance sent up by the commons to the lords, that was not finished this session ; it was a bill, declaring the rights and liberties of England, and the succession to the crown, as had been agreed by both houses of parliament, to the king and queen and their issue ; and after them, to the princess Anne and her issue ; and after these, to the king and his issue. A clause was inserted, disabling all papists from succeeding to the crown ; to which the lords added, " or such as should marry papists." To this I proposed an additional clause, absolving the subjects, in that case, from their allegiance. This was seconded by the earl of Shrewsbury ; and it passed without any opposition, or debate ; which amazed us all, considering the importance of it. But the king ordered me to propose the naming the duchess of Hanover, and her posterity, next in the succession. He signified his pleasure in this also to the ministers ; but he ordered me to begin the motion in the house, because I had already set it on foot. And the duke of Hanover had now other

\* The representations of the earl of Shrewsbury to divert the king from his leaning to the Tories, are told in the first pages of Coxe's " Shrewsbury Correspondence."



thoughts of the matter, and was separating himself from the interests of France. The lords agreed to the proposition without any opposition; so it was sent down to the commons. There were great debates there upon it. Hambden pressed it vehemently; but Wildman, and all the republican party, opposed it. Their secret reason seemed to be, a design to extinguish monarchy, and therefore to substitute none beyond the three that were named, that so the succession might quickly come to an end. But it not being decent to own this, all that they pretended was, that there being many in the lineal succession, after the three that were named, who were then of the church of Rome, the leaving to them a possibility to succeed, upon their turning protestants, might have a good effect on them, and dispose them to hearken to instruction; all which would be defeated by a declaration in favour of the duchess.

To this it was answered, in a free conference, that for that very reason it was fit to make this declaration; since nothing could bring us into a more certain danger than a pretended conversion of a false convert, who might by such a disguise ascend the throne, and so work our ruin by secret artifices. Both houses adhered, after the free conference: so the bill fell for that time: but it was resolved to take it up at the opening of the next session. And the king thought it was not then convenient to renew the motion of the duchess of Hanover, of which he ordered me to write her a particular account. It was fit once to have the bill passed that enacted the perpetual exclusion of all papists; for that, upon the matter, brought the succession to their door. And if any in the line, before her, should pretend to change, as it was not very likely to happen, so it would not be easily believed. So it was resolved to carry this matter no further at this time. The bill passed without any opposition, in the beginning of the next session, which I mention here, that I might end this matter all at once\*. The present session was drawn to a great length, and was not ended till August; and then it broke up with a great deal of ill humour.

One accident happened this summer, of a pretty extraordinary nature, that deserves to be remembered. A fisherman, between Lambeth and Vauxhall, was drawing a net pretty close to the channel, and a great weight was, not without some difficulty, drawn to the shore, which, when taken up, was found to be the great seal of England. King James had called for it from the lord Jeffreys, the night before he went away, as intending to make a secret use of it, for pardons or grants. But it seems, when he went away, he thought either that the bulk or weight of it made it inconvenient to be carried off, or that it was to be hereafter of no more use to him; and therefore, that it might not be made use of against him, he threw it into the Thames. The fisherman was well rewarded when he brought the great seal to the king; and by his order it was broken.

But now I must look over to the affairs of Ireland, and to king James's motions. Upon his coming to the court of France, he was received with great shews of tenderness and respect; the French king assuring him, that, as they had both the same interests, so he would never give over the war, till he had restored him to his throne. The only prospect he now had was to keep up his party in Ireland and Scotland. The message from Tyrconnel, for speedy supplies, was very pressing; and his party in Scotland sent one Lindsay over

\* This "immortal bill," as Burke denominates it, is in our code of laws, 1 William and Mary, sess. 2. c. 2. It embodies the declaration of rights presented by both houses of the convention to the prince and princess of Orange, and accepted by them with the crown. It is extraordinary that the clause enacting that the kings and queens of England should take the test oath upon their accession to the crown, and that if any such king or queen embraced the Roman catholic religion, or married a Roman catholic, their subjects should be absolved of their allegiance, passed without any debate. The bill of rights having declared the illegal conduct of James the Second, and his abdication of the throne, enacts, 1. that the king, without the consent of parliament, shall not suspend the operation of any law. 2. That creating new courts of law is illegal. 3. That levying money by the king, unauthorised by parliament, is illegal. 4. That the subject

has a right to petition the king. 5. That a standing army, without consent of parliament, cannot be raised or maintained. 6. That protestant subjects may have arms for their defence, suitable to their condition. 7. The election of members of parliament ought to be free. 8. That freedom of speech in parliament cannot be questioned out of parliament. 9. That neither excessive bail, fines, or punishment ought to be inflicted. 10. That jurors should be duly empannelled. 11. That all grants or promises of fines and forfeitures before the party is convicted, are void. 12. That parliaments ought to be held frequently. Concluding with a declaration that the lords and commons "do claim, demand, and insist upon all and singular the premises as their undoubted rights and liberties." The declaration of rights is known to have been chiefly drawn up by Mr. Somers, afterwards lord chancellor and known as "the great lord Somers."

to him, to offer him their service, and to ask what assistance they might depend upon. The French ministry was at this time much divided. Louvois had the greatest credit, and was very successful in all his counsels; so that he was most considered; but Seignelay was believed to have more personal favour, and to be more entirely united to madam Maintenon. These two were in a high competition for favour, and hated one another. Seignelay had the marine, as the other had the army, for his province; so, king James having the most dependence on the marine, and looking on the secretary for that post as the most powerful favourite, made his chief application to him; which set Louvois to cross, and retard, every thing that was proposed for his service: so that matters for him went on slowly, and very defectively. There was another circumstance in king James's affairs that did him much hurt. Lauzun, whose adventures will be found in the French history, had come over to king James, and offered him his service, and had attended on the queen when she went over to France. He had obtained a promise of king James, that he should have the command of such forces as the king of France would assist him with. Louvois hated Lauzun; nor did the king of France like to employ him; so Louvois sent to king James, desiring him to ask of the king of France, Souvray, a son of his, whom he was breeding to serve in war, to command the French troops. But king James had so engaged himself to Lauzun, that he thought he could not in honour depart from it. And ever after that, we were told, that Louvois studied, by all the ways he could think of, to disparage him, and all the propositions he made: yet he got about 5,000 Frenchmen to be sent over with him to Ireland, but no great supplies in money. Promises were sent the Scots of great assistance that should be sent them from Ireland: they were encouraged to make all possible opposition in the convention; and, as soon as the season of the year would admit of it, they were ordered to gather together in the Highlands, and to keep themselves in safe places there till further orders should be sent them. With these, and with a small supply in money, of about five or six thousand pounds, for buying ammunition and arms, Lindsay was sent back. I had such a character given me of him, that I entertained good thoughts of him. So, upon his return, he came first to me, and pretended he had gone over on private affairs, being deeply engaged in debt for the earl of Melfort, whose secretary he had been. I understood from him, that king James had left Paris to go for Ireland; so I sent him to the earl of Shrewsbury's office; but there was a secret management with one of the under secretaries there for king James; so he was not only dismissed, but got a pass warrant from Dr. Wynne, to go to Scotland. I had given the earl of Shrewsbury such a character of the man, that he did more easily believe him; but he knew nothing of the pass warrant. So, my easiness to think well of people, was the chief occasion of the mischief that followed, on his not being clapped up, and more narrowly examined. Upon king James's landing in Ireland, he marched his army from Kinsale to Ulster; and, when it was all together, it consisted of 30,000 foot, and 8,000 horse. It is true the Irish were now as insolent as they were undisciplined; and they began to think they must be masters of all the king's counsels. A jealousy arose between them and the French; they were soon on very bad terms, and scarcely ever agreed in their advices: all king James's party, in the isle of Britain, pressed his settling the affairs of Ireland the best he could, and his bringing over the French, and such of the Irish, as he could best govern, and depend on; and advised him to land in the north of England, or in the west of Scotland.

But the first thing that was to be done was to reduce Londonderry. In order to this, two different advices were offered. The one was, to march with a great force, and to take it immediately; for the town was not capable of resisting, if vigorously attacked. The other was, to block it up so, that it should be forced in a little time to surrender; and to turn to other more vigorous designs. But, whereas either of these advices might have been pursued with advantage, a third advice was offered; but I know not by whom, which was the only bad one, that could be proposed; and yet, by a sort of fatality, which hung over that king, it was followed by him; and that was, to press the town by a slow siege, which, as was given out, would bring the Irish into the methods of war, and would accustom them to fatigue and discipline. And this being resolved on, king James sent a small body before it, which was often changed; and by these he continued the siege above two months, in which the poor inhabitants formed themselves into great order, and came to generous resolu-

tions of enduring the last extremities. They made some sallies, in which the Irish always ran away, and left their officers; so that many of their best officers were killed. Those within suffered little, but by hunger, which destroyed nearly two-thirds of their number. One convoy, with two regiments, and provisions, was sent to their relief; but they looked on the service as desperate, being deceived by Lundy, who was the governor of the place, and had undertaken to betray it to king James; but he finding them jealous of him, came to the convoy, and persuaded them that nothing could be done; so they came back, and Lundy with them. Yet the poor inhabitants, though thus forsaken, resolved still to hold out; and sent over such an account of the state they were in, that a second and greater convoy was sent, with about 5,000 men, commanded by Kirk, who, after he came in sight, made not that haste to relieve them that was necessary, considering the misery they were in. They had a river that came up to their town; but the Irish had laid a boom and chains across it, and had planted batteries for defending it: yet a ship sailing up with wind and tide broke through; and so the town was relieved, and the siege raised in great confusion\*.

Iniskillen had the same fate: the inhabitants entered into resolutions of suffering any thing, rather than fall into the hands of the Irish; a considerable force was sent against them; but through their courage, and the cowardice of the Irish, they held out.

All this while an army was preparing in England, to be sent over for the reduction of Ireland, commanded by Schomberg, who was made a duke in England, and to whom the parliament gave 100,000 pounds for the services he had done. The levies were carried on in England with great zeal; and the bodies were quickly full. But, though both officers and soldiers shewed much courage and affection to the service, yet they were raw, without experience, and without skill. Schomberg had a quick and happy passage, with about 10,000 men. He landed at Belfast, and brought the forces that lay in Ulster together. His army, when strongest, was not above 14,000 men; and he had not above 2,000 horse. He marched on to Dundalk, and there posted himself. King James came to Ardee, within five or six miles of him, being above thrice his number. Schomberg had not the supplies from England that had been promised him: much treachery, or ravenousness, appeared in many who were employed; and he, finding his numbers so unequal to the Irish, resolved to lie on the defensive. He lay there six weeks in a very rainy season: his men, for want of due care and good management, contracted such diseases, that he lost almost the one-half of his army. Some blamed him for not putting things more to hazard: it was said, that he measured the Irish by their numbers, and not by their want of sense and courage. Such complaints were sent of this to the king, that he wrote twice to him, pressing him to put somewhat to the venture; but he saw the enemy was well posted, and well provided; and he knew they had several good officers among them. If he had pushed matters, and had met with a misfortune, his whole army, and consequently all Ireland, would have been lost; for he could not have made a regular retreat. The sure game was to preserve his army; and that would save Ulster, and keep matters entire for another year. This was censured by some; but better judges thought the managing this campaign as he did, was one of the greatest parts of his life. The Irish made some poor attempts to beat up his quarters; but even where they surprised his men, and were much superior in number, they were so shamefully beat back, that this increased the contempt the English naturally had for them. In the end of October, all went into winter quarters.

\* I know not for what reason Burnet omitted to notice the chief instrument in persuading the inhabitants of Londonderry to such a gallant defence, Dr. George Walker. This divine was a native of the county of Tyrone. As soon as he was ordained he obtained the rectory of Donoughmore, where he raised a regiment when James the Second landed. He threw himself and his men into Londonderry as soon as he understood that the ex-king had determined to besiege it. Colonel Lundy, the governor, either a traitor, or a coward, or both, shut himself up in his chamber, and would not interfere in the defence, and was consequently turned out of the town by Mr. Walker; who, in conjunction with Major Baker, was

appointed governor. The siege commenced on the 20th of April; the town was miserably fortified, and the besieging army large; yet it was defended for one hundred and five days, and eventually relieved. For his bravery, Walker received the thanks of the house of commons; and the university of Oxford made him a doctor in divinity. He was afterwards nominated to the bishopric of Derry, but accompanying William the Third, was killed at the battle of the Boyne in July 1690. His "True Account of the Siege of Londonderry," is a highly interesting work.—Ware's Works, by Harris; Grey's Parliamentary Debates.



Our operations on the sea were not very prosperous. Herbert was sent with a fleet to cut off the communication between France and Ireland. The French had sent over a fleet with a great transport of stores and ammunition. They had landed their loading, and were returning back. As they came out of Bantry Bay Herbert engaged them. The wind was against him, so that it was not possible for the greatest part of the fleet to come up and enter into action; and so those who were engaged were forced to retire with some disadvantage. But the French did not pursue him. He came back to Portsmouth, in order to refit some of his ships; and went out again, and lay before Brest till the end of summer. But the French fleet did not come out any more all that summer; so that ours lay some months at sea to no purpose. But if we lost few of our seamen in the engagement, we lost a great many by reason of the bad victualling. Some excused this because it was so late in the year before funds were made for it; while others imputed it to base practices, and worse designs. So affairs had everywhere a very melancholy face.

I now turn to give an account of the proceedings in Scotland. A convention of the states was summoned there in the same manner as in England. Duke Hamilton was chosen president. And a letter being offered to them from king James, by Lindsay, they would not receive nor read it; but went on to state the several violations of their constitution and laws made by King James. Upon these it was moved that a judgment should be given, declaring that he had forfeited his right to the crown. Upon this, three parties were formed: one was composed of all the bishops and some of the nobility, who opposed these proceedings against the king, as contrary to their laws and oaths; others thought that their oaths were only to the king as having the executive power to support him in that; but that, if he set himself to invade and assume the legislature, he renounced his former authority by subverting that upon which it was founded. So they were for proceeding to a declaratory judgment: a third party was formed of those who agreed with the former in their conclusion, but not in coming to so speedy a determination. They thought it was the interest of Scotland to be brought under the laws of England, and to be united to the parliament of England; and that this was the properest time for doing that to the best advantage, since England would be obliged by the present state of affairs to receive them upon good terms. They were therefore willing to proceed against king James; but they thought it not reasonable to make too much haste in a new settlement; and were for maintaining the government in an interregnum till the union should be perfected, or at least put in a probable way. This was specious, and many went into it; but, since it tended to the putting a stop to a full settlement, all that favoured king James joined in it; for by this more time was gained. To this project it was objected that the union of the two kingdoms must be a work of time; since many difficulties would arise in any treaty about it; whereas the present circumstances were critical, and required a speedy decision, and quick provision to be made for their security; since, if they continued in such a neutral state, they would have many enemies and no friends: and the zeal that was now working among them for presdytery must raise a greater aversion than ordinary in the body that was for the church of England to any such treaty with them.

While much heat was occasioned by this debate, great numbers came armed from the western counties, on pretence to defend the convention; for the duke of Gordon was still in the castle of Edinburgh, and could have done them much harm, though he lay there in a very inoffensive state. He thought the best thing he could do was to preserve that place long for king James; since to provoke the convention would have drawn a siege and ruin upon him with too much precipitation, while there was not a force in the field ready to come and assist him. So it was said there was no need of such armed companies, and that they were come to over-awe and force the convention.

The earl of Dundee had been at London, and had fixed a correspondence both with England and France; though he had employed me to carry messages from him to the king, to know what security he might expect, if he should go and live in Scotland without owning his government. The king said, if he would live peaceably, and at home, he would protect him. To this he answered, that, unless he were forced to it, he would live quietly. But he went down with other resolutions; and all the party resolved to submit to his command.

Upon his coming to Edinburgh, he pretended he was in danger from those armed multitudes, and so he left the convention; and went up and down the Highlands, and sent his agents about to bring together what force they could gather. This set on the conclusion of the debates of the convention.

They passed the judgment of forfeiture on king James. And on the 11th of April, the day in which the king and queen were crowned with the ordinary solemnities at Westminster, they declared William and Mary king and queen of Scotland. But with this, as they ordered the coronation oath to be tendered to them, so they drew up a claim of rights, which they pretended were the fundamental, and unalterable, laws of the kingdom. By one of these it was declared, that the reformation in Scotland having been begun by a parity among the clergy, all prelacy in that church was a great and insupportable grievance to that kingdom. It was an absurd thing to put this in a claim of rights; for which not only they had no law, but which was contrary to many laws then in being; so that, though they might have offered it as a grievance, there was no colour for pretending it was a national right. But they had a notion among them that every article, that should be put in the claim of rights, became an unalterable law, and a condition upon which the crown was to be held; whereas grievances were such things as were submitted to the king and parliament to be redressed, or not, as they should see cause; but the bishops, and those who adhered to them, having left the convention, the presbyterians had a majority of voices to carry everything as they pleased, how unreasonable soever. And upon this, the abolishing episcopacy in Scotland was made a necessary article of the new settlement.

Soon after the king came to St. James's, the episcopal party there had sent up the dean of Glasgow, whom they ordered to come to me; and I introduced him to the then prince. He was sent to know what his intentions were with relation to them. He answered, he would do all he could to preserve them, granting a full toleration to the presbyterians; but this was in case they concurred in the new settlement of that kingdom; for if they opposed that, and if, by a great majority in parliament, resolutions should be taken against them, the king could not make a war for them; but yet he would do all that was in his power to maintain such of them as should live peaceably in their functions. This he ordered me likewise to write back, in answer to what some bishops and others had written to me upon that subject. But the earl of Dundee, when he went down, possessed them with such an opinion of another speedy revolution, that would be brought about in favour of king James, that they resolved to adhere firmly to his interests. So they declaring in a body with so much zeal, in opposition to the new settlement, it was not possible for the king to preserve that government there; all those who expressed their zeal for him, being equally zealous against that order.

Among those who appeared in this convention none distinguished himself more than sir James Montgomery, a gentleman of good parts, but of a most unbridled heat, and of a restless ambition: he bore the greatest share in the whole debate, and promised himself a great post in the new government. Duke Hamilton presided with great discretion and courage; so that the bringing the settlement so soon to a calm conclusion was chiefly owing to him. A petition of grievances, relating to the lords of the articles, the judges, the coin, and several other matters, was also settled; and three commissioners were sent, one from every state, to the king and queen, with the tender of the crown, with which they were also to tender them the coronation oath and the claim of rights. And when the oath was taken, they were next to offer the petition for the redress of grievances. The three commissioners were, the earl of Argyle for the lords, sir James Montgomery for the knights, or, as they call them, for the barons, and sir John Dalrymple for the boroughs. When the king and queen took the oaths, the king explained one word in the oath, by which he was bound "to repress heresies," that he did not by this bind himself to persecute any for their conscience. And now he was king of Scotland, as well as of England and Ireland.

The first thing to be done was to form a ministry in Scotland, and a council, and to send instructions for turning the convention into a parliament, in which the duke of Hamilton was to represent the king as his commissioner. Before the king had left the Hague, Fagel had so effectually recommended Dalrymple, the father, to him, that he was resolved to rely

chiefly on him for advice. And though he had heard great complaints of him, as indeed there was some ground for them, yet, since his son was sent one of the three upon so great a deputation, he concluded from thence that the family was not so much hated as he had been informed: so he continued still to be advised by him. The episcopal party were afraid of Montgomery's being made secretary, from whom they expected nothing but extreme severities; so they set themselves to divert that, and the lord Melvill, who had married the duchess of Monmouth's sister, and had continued from 1600 firm to presbytery, and had been of late forced to leave the kingdom, was looked on as an easy man, who would have credit enough to restrain the fury of that party. So he was made sole secretary of state, which proved a very unhappy step; for, as he was by his principles bigoted to presbytery, and ready to sacrifice every thing to their humours, so he proved to be in all respects a narrow-hearted man, who minded his own interest more than either that of the king or of his country. This choice gave a great distaste, and that was followed by a ministry, in the framing of which he had the chief hand, who were weak and passionate men. All offices were split into commissions, that many might have some share; but it rendered them all contemptible. And though Montgomery had a considerable post offered him, yet his missing that he aimed at stuck deep, and began to work in him an aversion to the king, which broke out afterwards into much fury and plotting against him. Nor did duke Hamilton think that he was considered in the new model of the ministry, as he deserved, and might justly have expected.

The parliament there was opened with much ill humour; and they resolved to carry the redress of grievances very far. Lord Melvill hoped to have gained the presbyterian party, by sending instructions to duke Hamilton to open the session with an act in favour of presbytery; but the majority resolved to begin with their temporal concerns. So the first grievance, to which a redress was desired, was the power of the lords of the articles: that relating so immediately to the parliament itself. The king consented to a proper regulation, as that the number should be enlarged and changed as often as the parliament should desire it, and that the parliament might bring matters before them, though they were rejected by the lords of the articles. This answered all the just complaints that had been made of that part of the constitution; but the king thought it was the interest of the crown to preserve it thus regulated; yet it was pretended that, if the name and shadow of that were still kept up, the parliament would in some time be insensibly brought under all those restraints that were now to be provided against. So they moved to take it quite away. Duke Hamilton wrote long letters both to the king and to the lord Melvill, giving a full account of the progress of an ill humour that was got among them, and of the ill consequence it was likely to have; but he had no answer from the king; and lord Melvill wrote him back dark and doubtful orders: so he took little care how matters went, and was not ill pleased to see them go wrong. The revenue was settled on the king for life; and they raised the money which was necessary for maintaining a small force in that kingdom, though the greatest part of an army of six thousand men was paid by England. But even the presbyterians began to carry their demands high; they proposed to have the king's supremacy and the right of patronage taken away; and they asked so high an authority to their government, that duke Hamilton, though of hims lf indifferent as to those matters, yet would not agree to them. He thought these broke in too much on their temporal concerns, and would establish a tyranny in presbytery that could not be easily borne. He wrote to me very fully on that head, and I took the liberty to speak sometimes to the king on those subjects; my design being chiefly to shelter the episcopal clergy, and to keep the change that was now to be made on such a foot, that a door might still be kept open; but lord Melvill had possessed the king with a notion, that it was necessary for his service that the presbyterians should know that I did not at all meddle in those matters, otherwise they would take up a jealousy of every thing that was done; and that this might make them carry their demands much farther: so I was shut out from all meddling in those matters; and yet I was then and still continued to be much loaded with this prejudice, that I did not study to hinder those changes that were then made in Scotland. And all the king's enemies in England continued still to charge him for the alterations then made in Scotland: though it was not possible, had he been ever so



zealous for episcopacy, to have preserved it at that time ; and I could do no more than I did, both for the order itself, and for all those who adhered to it there. A new debate was set on foot in that parliament concerning the judges. By the law there, when the king names a judge, he ought to be examined by other judges, whether he is qualified as the law directs ; but, in the year 1661, because the bench was to be filled with a new set of judges, so that there was none to examine the rest, the nomination the king then made was read in parliament, and, no objection being made to any of them, they did upon that sit and act as judges. It was expected that the same method should be followed at this time. But, instead of that, the king continued such a number of the former judges as was sufficient to examine those who were now to be advanced ; so that was ordered to be done. Upon this, those who opposed every thing pretended that the nomination ought to be made in parliament ; and they had prepared objections against every one that was upon the list ; intending by this to put a public affront on one of the first and most important actions of the king's government. Duke Hamilton had a positive instruction sent him not to suffer this matter to be brought into parliament ; yet he saw the party was so set and so strong that they had a clear majority ; nor did he himself very much approve of the nomination, chiefly that of old Dalrymple, soon after made lord Stair, to be president. So he discontinued the parliament.

But while those animosities were thus fomented, the earl of Dundee had got together a considerable body of gentlemen, with some thousands of Highlanders. He sent several messengers over to Ireland, pressing king James to come either to the north of England, or to Scotland. But at the same time he desired that he would not bring the lord Melfort over with him, or employ him more in Scotch business ; and that he would be contented with the exercise of his own religion. It may be easily supposed that all this went against the grain with king James ; and that the lord Melfort disparaged all the earl of Dundee's undertakings. In this he was much supported by the French near that king, who had it given them in charge (as a main instruction) to keep him up to a high owning of his religion, and of all those who were of it ; and not to suffer him to enter into any treaty, or conditions, with his protestant subjects, by which the papists should in any sort suffer, or be so much as discouraged. The Irish were willing enough to cross the seas to England, but would not consent to the going over to Scotland. So the earl of Dundee was furnished with some small store of arms and ammunition, and had kind promises, encouraging him and all that joined with him.

Mackay, a general officer that had served long in Holland with great reputation, and who was the most pious man that I ever knew in a military way, was sent down to command the army in Scotland. He was one of the best officers of the age, when he had nothing to do but to obey and execute orders ; for he was both diligent, obliging, and brave ; but he was not so fitted for command. His piety made him too apt to mistrust his own sense, and to be too tender, or rather fearful, in anything where there might be a needless effusion of blood. He followed the earl of Dundee's motion, who was less encumbered with cannon and other baggage, and so marched quicker than it was possible for him to follow : his men were for the most part new levied, and without experience ; but he had some old bodies on whom he depended. The heads of the clans among the Highlanders promised to join him ; but most of them went to viscount Dundee. At last, after many marches and motions, they came to an engagement at Killcranky, some few miles above Dunkeld. The ground was narrow, and lord Dundee had the advantage. He broke through Mackay's army, and they ran for it ; and probably, if the earl of Dundee had outlived that day, the victory might have been pursued far ; but a random shot put an end to his life, and to the whole design ; for Mackay rallied his men and made such a stand, that the other side fell into great disorder, and could never be formed again into a considerable body. A fort was soon after built at Innerlochy, which was called Fort William, and served to cut off the communication between the northern and southern Highlanders\*.

\* Lord Clarendon says that he had it from sir George Mackenzie, that, if James the Second had placed himself at the head of the Scotch Highlanders, while the earl of Dundee was alive, all Scotland would have joined him. But the earl of Melfort's advice and influence ruined his cause.—(Clarendon Correspondence.) John Graham,

During all these public disorders that happened in so many different places, the trade suffered considerably ; for the French, not setting out a fleet any more, sent out so many cruisers and privateers into our seas, that England thereby suffered great losses ; there not being at that time a sufficient number of frigates to convoy and secure the merchantmen. We seemed to be masters at sea, and yet were great losers there.

Affairs went much better on the Rhine. The imperial army, commanded by the Duke of Lorraine, took Mentz, which the French had entered after they took Philipsburg ; the siege was slow and long, but prosperous in its conclusion ; and by this means Franconia, which before lay exposed, was now covered. The elector of Brandenburg came down with an army, and cleared the archbishopric of Cologne, which was before possessed by French garrisons. Keizerwart and Bonn held him some time ; but the rest were soon taken. So now the Rhine was open all up to Mentz. Nothing passed in Flanders, where prince Waldeck commanded : and the campaign ended without any misfortunes on that side.

I now return to the affairs of England during the recess. The clergy generally took the oaths, though with too many reservations and distinctions, which laid them open to severe censures, as if they had taken them against their conscience. The king was suspected by them by reason of the favour shewn to dissenters, but chiefly for his abolishing episcopacy in Scotland, and his consenting to the setting up presbytery there. This gave some credit to the reports that were with great industry infused into many of them of the king's coldness at best, if not his aversion, to the church of England. The leading men in both universities, chiefly Oxford, were possessed with this ; and it began to have very ill effects over all England. Those who did not carry this so far as to think, as some said they did, that the church was to be pulled down, yet said a latitudinarian party was likely to prevail and to engross all preferments. These were thought less bigoted to outward ceremonies ; so now it was generally spread about that men zealous for the church would be neglected, and that those who were more indifferent in such matters would be preferred. Many of the latter had managed the controversies with the church of Rome with so much clearness and with that success, that the papists, to revenge themselves, and to blast those whom they considered as their most formidable enemies, had cast aspersions on them as Socinians, and as men that denied all mysteries. And now some angry men at Oxford, who apprehended that those divines were likely to be most considered in this reign, took up the same method of calumny, and began to treat them as Socinians. The earl of Clarendon and some of the bishops, who had already incurred the suspension for not taking the oaths to the government, took much ill-natured pains to spread these slanders. Six bishoprics happened to fall within this year : Salisbury, Chester, Bangor, Worcester, Chichester, and Bristol ; so that the king named six bishops within six months. And the persons promoted to these sees were generally men of those principles. The proceedings in Scotland cast a great load on the king ; he could not hinder the change of the government of that church without putting all his affairs in great disorder. The episcopal party went almost universally into king James's interests ; so that the presbyterians were the only party that the king had in that kingdom. The king did indeed assure us, and myself in particular, that he would restrain and moderate the violence of the presbyterians. Lord Melvill did also promise the same thing very solemnly ; and at first he seemed much set upon it. But when he saw so great a party formed against himself ; and, since many of the presbyterians inclined to favour them, and to set themselves in an opposition to the court, he thought it was the king's interest, or at least his own, to engage that party entirely ; and he found nothing could do that so effectually as to abandon the ministers of the episcopal persuasion to their fury. He set up the earl of Crawford as the head of his party, who was passionate in his temper, and was out of measure zealous in his principles : he was chosen to be the president of the parliament. He received and encouraged all the complaints that were made of the episcopal ministers ; the convention, when they had passed the votes declaring the king and queen, ordered a proclamation to be

viscount Dundee, was a frank, talented, noble-minded, man. After he had received his death wound at Killcranky, he asked how the victory was inclining ? and, being told " All is well "—"Then," he replied, " I am

well"—and immediately after expired. He died July 27th, 1689.—Dalrymple's Memoirs ; Memoirs of Viscount Dundee, the Highland Clans, and the Glencoe Massacre.

read the next Sunday in all the churches of Edinburgh, and in all the other churches in the kingdom by a certain prefixed day ; but which was so near at hand that it was scarcely possible to lay proclamations all round the nation within the time ; and it was absolutely impossible for the clergy to meet together, and come to any resolution among themselves. For the most part the proclamations were not brought to the ministers till the morning of the Sunday in which they were ordered to be read ; so this having the face of a great change of principles, many could not on the sudden resolve to submit to it ; some had not the proclamations brought to them till the day was past ; many of these read it the Sunday following. Some of those who did not think fit to read the proclamation, yet obeyed it ; and continued, after that, to pray for the king and queen. Complaints were brought to the council of all those who had not read, nor obeyed, the proclamation ; and they were in a summary way deprived of their benefices. In the executing this, lord Crawford shewed much eagerness and violence. Those who did not read the proclamation on the day appointed had no favour, though they did it afterwards. And upon any word that fell from them, either in their extemporary prayers or sermons, that shewed disaffection to the government, they were also deprived. All these things were published up and down England, and much aggravated ; and raised the aversion that the church had to the presbyterians so high, that they began to repent their having granted a toleration to a party that, where they prevailed, showed so much fury against those of the episcopal persuasion. So that such of us as had laboured to excuse the change that the king was forced to consent to, and had promised in his name great moderation towards our friends in that kingdom, were much out of countenance, when we saw the violence with which matters were carried there. These things concurred to give the clergy such ill impressions of the king that we had little reason to look for success in a design that was then preparing for the convocation, for whom a summons was issued out to meet during the next session of parliament.

It was told in the history of the former reign that the clergy did then express an inclination to come to a temper with relation to the presbyterians, and such other dissenters as could be brought into a comprehension with the church ; the bishops had mentioned it in their petition to king James, for which they were tried ; and his present majesty had promised to endeavour an union between the church and the dissenters, in that declaration that he brought over with him ; but it seemed necessary to prepare and digest that matter carefully, before it should be offered to the convocation. Things of such a nature ought to be judged of by a large number of men, but must be prepared by a smaller number well chosen ; yet it was thought a due respect to the church to leave the matter wholly in the hands of the clergy. So, by a special commission under the great seal, ten bishops and twenty divines were empowered to meet, and prepare such alterations in the Book of Common Prayer and Canons as might be fit to lay before the convocation. This was become necessary, since by the submission which the clergy in convocation made to king Henry the Eighth, which was confirmed in parliament, they bound themselves not to attempt any new canons without obtaining the king's leave first, and that under the pains of a premunire. It was looked on, therefore, as the properest way, to obtain the king's leave to have a scheme of the whole matter put in order by a number of bishops and divines ; great care was taken to name these so impartially, that no exceptions could lie against any of them ; they upon this sat closely to it for several weeks ; they had before them all the exceptions that either the puritans before the war, or the nonconformists since the restoration, had made to any part of the church service ; they had also many propositions and advices that had been offered, at several times, by many of our bishops and divines upon those heads ; matters were well considered and freely and calmly debated ; and all was digested into an entire correction of every thing that seemed liable to any just objection. We had some very rigid, as well as some very learned, men among us ; though the most rigid either never came to our meetings, or they soon withdrew from us, declaring themselves dissatisfied with every thing of that nature : some telling us plainly that they were against all alterations whatsoever. They thought too much was already done for the dissenters in the toleration that was granted them ; but that they would do nothing to make that still easier. They said further that the altering the customs and constitution of our church,



to gratify a peevish and obstinate party, was likely to have no other effect on them but to make them more insolent : as if the church, by offering these alterations, seemed to confess that she had been hitherto in the wrong. They thought this attempt would divide us among ourselves, and make our people lose their esteem for the liturgy, if it appeared that it wanted correction. They also excepted to the manner of preparing matters by a special commission, as limiting the convocation, and imposing upon it ; and to load this with a word of an ill sound, they called this a new ecclesiastical commission. But, in answer to all this, it was said, that if by a few corrections or explanations we offered all just satisfaction to the chief objections of the dissenters, we had reason to hope that this would bring over many of them, at least of the people, if not of the teachers among them ; or, if the prejudices of education wrought too strongly upon the present age, yet, if some more sensible objections were put out of the way, we might well hope that it would have a great effect on the next generation. If these condescensions were made so as to own, in the way of offering them, that the non-conformists had been in the right, that might turn to the reproach of the church ; but, such offers being made only in regard to their weakness, the reproach fell on them : as the honour accrued to the church, who showed herself a true mother by her care to preserve her children. It was not offered that the ordinary posture of receiving the sacrament kneeling should be changed : that was still to be the received and favoured posture ; only such as declared they could not overcome their scruples in that matter were to be admitted to it in another posture. Ritual matters were of their own nature indifferent, and had been always declared to be so ; all the necessity of them arose only from the authority in church and state that had enacted them. Therefore it was an unreasonable stiffness to deny any abatement, or yielding in such matters, in order to the healing the wounds of our church. Great alterations had been made in such things in all the ages of the church. Even the church of Rome was still making some alterations in her rituals. And changes had been made among ourselves, often since the reformation, in king Edward's, queen Elizabeth's, king James's, and king Charles the Second's reigns. These were always made upon some great turn : critical times being the most proper for designs of that kind. The toleration now granted seemed to render it more necessary than formerly to make the terms of communion with the church as large as might be, that so we might draw over to us the greater number from those who might now leave us more safely ; and therefore we were to use the more care in order to gaining of them. And, as for the manner of preparing these overtures, the king's supremacy signified little if he could not appoint a select number to consider of such matters as he might think fit to lay before the convocation. This did no way break in upon their full freedom of debate ; it being free to them to reject, as well as to accept of, the propositions that should be offered to them. But while men were arguing this matter on both sides, the party that was now at work for king James took hold of this occasion to inflame men's minds. It was said the church was to be pulled down, and presbytery was to be set up : that all this now in debate was only intended to divide and distract the church, and to render it by that means both weaker and more ridiculous, while it went off from its former grounds in offering such concessions. The universities took fire upon this, and began to declare against it, and against all that promoted it, as men that intended to undermine the church. Severe reflections were cast on the king, as being in an interest contrary to the church ; for the church was as the word, given out by the jacobite party, under which they thought they might more safely shelter themselves. Great canvassings were every where in the elections of convocation men ; a thing not known in former times ; so that it was soon very visible that we were not in a temper cool or calm enough to encourage the further prosecuting such a design.

When the convocation was opened, the king sent them a message by the earl of Nottingham, assuring them of his constant favour and protection, and desiring them to consider such things, as by his order should be laid before them, with due care and an impartial zeal for the peace and good of the church. But the lower house of convocation expressed a resolution not to enter into any debates with relation to alterations ; so that they would take no notice of the second part of the king's message ; and it was not without difficulty carried to make a decent address to the king, thanking him for his promise of protection. But

because in the draught which the bishops sent them they acknowledged the protection that the protestant religion in general, and the church of England in particular, had received from him, the lower house thought that this imported their owning some common union with the foreign protestants ; so they would not agree to it. There was at this time but a small number of bishops in the upper house of convocation, and they had not their metropolitans with them ; so they had not strength nor authority to set things forward. Therefore they advised the king to suffer the session to be discontinued. And thus, seeing they were in no disposition to enter upon business, they were kept from doing mischief by prorogations for a course of ten years. This was in reality a favour to them ; for, ever since the year 1662, the convocation had indeed continued to sit, but to do no business ; so that they were kept at no small charge in town to do nothing, but only to meet and read a Latin litany. It was therefore an ease to be freed from such an attendance to no purpose. The ill reception that the clergy gave the king's message raised a great and just outcry against them ; since all the promises made in king James's time were now so entirely forgotten.

But there was a very happy direction of the providence of God observed in this matter. The jacobite clergy, who were then under suspension, were designing to make a schism in the church, whensoever they should be turned out and their places should be filled up by others. They saw it would not be easy to make a separation upon a private and personal account, they therefore wished to be furnished with more specious pretences ; and, if we had made alterations in the Rubric and other parts of the Common Prayer, they would have pretended that they still stuck to the ancient church of England, in opposition to those who were altering it and setting up new models ; and, as I do firmly believe that there is a wise providence that watches upon human affairs and directs them, chiefly those that relate to religion ; so I have with great pleasure observed this in many instances relating to the revolution. And upon this occasion I could not but see that the jacobites among us, who wished and hoped that we should have made those alterations which they reckoned would have been of great advantage for serving their ends, were the instruments of raising such a clamour against them, as prevented their being made. For by all the judgments we could afterwards make, if we had carried a majority in the convocation for alterations, they would have done us more hurt than good.

I now turn to a more important, as well as a more troublesome, scene. In winter a session of parliament met full of jealousy and ill humour. The ill conduct of affairs was imputed chiefly to the lord Halifax ; so the first attack was made on him. The duke of Bolton made a motion in the house of lords for a committee to examine who had the chief hand in the severities and executions in the end of king Charles's reign, and in the quo warrantos, and the delivering up the charters ; the enquiry lasted some weeks, and gave occasion to much heat ; but nothing appeared that could be proved, upon which votes or addresses could have been grounded ; yet the lord Halifax having during that time concurred with the ministry in council, he saw it was necessary for him to withdraw now from the ministers, and quit the court. And soon after he reconciled himself to the Tories and became wholly theirs ; he opposed every thing that looked favourably towards the government, and did upon all occasions serve the jacobites, and protect the whole party. But the Whigs began to lose much of the king's good opinion by the heat that they showed in both houses against their enemies, and by the coldness that appeared in every thing that related to the public, as well as to the king in his own particular. He expressed an earnest desire to have the revenue of the crown settled on him for life. He said he was not a king till that was done, without that the title of a king was only a pageant. And he spoke of this with more than ordinary vehemence ; so that sometimes he said he would not stay and hold an empty name, unless that was done ; he said once to myself he understood the good of a commonwealth, as well as of a kingly government : and it was not easy to determine which was best ; but he was sure the worst of all governments was that of a king without treasure and without power. But a jealousy was now infused into many, that he would grow arbitrary in his government, if he once had the revenue ; and would strain for a high stretch of prerogative as soon as he was out of difficulties and necessities. Those of the Whigs who had lived some years at Amsterdam, had got together a great many stories, that went about

the City, of his sullenness and imperious way of dictating ; the Scotch, who were now come up to give an account of the proceedings in parliament, set about many things that heightened their apprehensions. One Simpson, a Scotch presbyterian, was recommended to the earl of Portland as a man whom he might trust, who would bring him good intelligence ; so he was often admitted, and was entertained as a good spy ; but he was in a secret confidence with one Nevill Payne, the most active and dexterous of all king James's agents, who had indeed lost the reputation of an honest man entirely, and yet had such arts of management that even those who knew what he was were willing to employ him. Simpson and he were in a close league together, and he discovered so much of their most secret intelligence to Simpson, that he might carry it to the earl of Portland, as made him pass for the best spy the court had. When he had gained great credit, he made use of it to infuse into the earl of Portland jealousies of the king's best friends ; and as the earl of Portland hearkened too attentively to these, so by other hands it was conveyed to some of them, that the court was now become jealous of them, and was seeking evidence against them.

Sir James Montgomery was easily possessed with these reports, and he and some others, by Payne's management, fell a treating with king James's party in England ; they demanded an assurance for the settlement of presbytery in Scotland, and to have the chief posts of the government shared among them. Princes in exile are apt to grant every thing that is asked of them : for they know that if they are restored they will have everything in their power ; upon this they entered into a close treaty for the way of bringing all this about. At first they only asked money for furnishing themselves with arms and ammunition ; but afterwards they insisted on demanding three thousand men to be sent over from Dunkirk ; because, by duke Schomberg's being posted in Ulster, their communication with Ireland was cut off. In order to the carrying on this design, they reconciled themselves to the duke of Queensbury, and the other lords of the episcopal party ; and on both sides it was given out that this union of those who were formerly such violent enemies, was only to secure and strengthen their interest in parliament, the episcopal party pretending, that since the king was not able to protect them, they, who saw themselves marked out for destruction, were to be excused for joining with those who could secure them. Simpson brought an account of all this to the earl of Portland, and was pressed by him to find out witnesses to prove it against Montgomery : he carried this to them, and told them that the whole business was discovered, and that great rewards were offered to such as would merit them by swearing against them. With this they alarmed many of their party, who did not know what was at bottom, and thought that nothing was designed but an opposition to lord Melvill and lord Stair ; and they were possessed with a fear that a new bloody scene of sham plots and suborned witnesses was to be opened. And when it began to be whispered about that they were in treaty with king James, that appeared to be so little credible, that it began to be said by some discontented men, what could be expected from a government that was so soon contriving the ruin of its best friends ? Some feared that the king himself might too easily receive such reports ; and that the common practices of ministers, who study to make their masters believe that all their own enemies are likewise his, were likely to prevail in this reign as much as they had formerly done. Montgomery came to have great credit with some of the whigs in England, particularly with the earl of Monmouth and the duke of Bolton ; and he employed it all to persuade them not to trust the king, and to animate them against the earl of Portland ; this wrought so much, that many were disposed to think they could have good terms from king James ; and that he was now so convinced of former errors, that they might safely trust him. The earl of Monmouth let this out to myself twice, but in a strain that looked like one who was afraid of it, and who endeavoured to prevent it ; but he set forth the reasons for it with great advantage, and those against it very faintly. Matters were trusted to Montgomery and Payne ; and Ferguson was taken into it, as a man that naturally loved to embroil things. So a design was managed, first to alienate the city of London so entirely from the king, that no loans might be advanced on the money bills ; which, without credit upon them, could not answer the end for which they were given. It was set about that king James would give a full indemnity for all that was



past; and that, for the future, he would separate himself entirely from the French interest, and be contented with a secret connivance at those of his own religion. It was said he was weary of the insolence of the French court, and saw his error in trusting to it so much as he had done. This corrupted party had gone so far, that they seemed to fancy that the restoring him would be not only safe but happy to the nation. I confess it was long before I could let myself think that the matter was gone so far; but I was at last convinced of it.

I received a letter from an unknown hand, with a direction how to answer it: the substance of it was, that he could discover a plot deeply laid against the king, if he might be assured not to be made a witness, and to have his friends, who were in it, pardoned. By the king's order, I promised the first; but an indefinite promise of pardon was too much to ask; he might, as to that, trust to the king's mercy. Upon this he came to me, and I found he was Montgomery's brother. He told me a treaty was settled with king James, articles were agreed on, and an invitation was subscribed, by the whole cabal, to king James, to come over, which was to be sent to the court of France; both because the communication was easier and less watched when it went through Flanders than with Ireland, and to let the court see how strong a party he had, and by that means to obtain the supplies and force that was desired. He said he saw the writing and some hands to it; but he knew many more were to sign it; and he undertook to put me in a method to seize on the original paper. The king could not easily believe the matter had gone so far; yet he ordered the earl of Shrewsbury to receive such advices as I should bring him, and immediately to do what was proper; so, a few days after this, Montgomery told me one Williamson was that day gone to Dover with the original invitation; I found the earl of Shrewsbury inclined enough to suspect Williamson. He had for some days solicited a pass for Flanders, and had got some persons, of whom it was not proper to show a suspicion, to answer for him. So one was sent post after him, with orders to seize him in his bed, and to take his clothes and portmanteau from him, which were strictly examined; but nothing was found. Yet upon the news of this the party was grievously affrighted, but soon recovered themselves; the true secret of which was afterwards discovered. Simpson was, it seems, to go over with Williamson; but first to ride to some houses that were in the way to Dover; whereas the other went directly in the stage-coach. It was thought safest for Simpson to carry these papers; for there were many different invitations, as they would not trust their hands to one common paper. Simpson came to the house at Dover, where Williamson was in the messenger's hands; thereupon he went away immediately to Deal, and hired a boat, and got safe to France with his letters. Montgomery finding that nothing was discovered by the way which he had directed me to, upon that fancied he would be despised by us, and perhaps suspected by his own side, and went over soon after and turned papist: but I know not what became of him afterwards. The fear of this discovery soon went off; Simpson came back with large assurances; and 12,000*l.* were sent to the Scotch, who undertook to do great matters. All pretended discoveries were laughed at, and looked on as the fictions of the court; and upon this the city of London was generally possessed with a very ill opinion of the king. The house of commons granted the supplies that were demanded for the reduction of Ireland, and for the quota to which the king was obliged by his alliances; and they continued the gift of the revenue for another year. But one great error was committed by the court in accepting remote funds; whereby the interest of the money then advanced on a fund, payable at the distance of some years, did not only eat up a great deal of the sum, but seemed so doubtful, that great premiums were to be offered to those who advanced money upon a security, which was thought very contingent; since few believed that the government would last so long. So here was a shew of great supplies, which yet brought not in the half of what they were estimated at.

The torics seeing the whigs grow sullen, and that they would make no advances of money, began to treat with the court, and promised great advances, if the parliament might be dissolved and a new one be summoned. Those propositions came to be known; so the house of commons prepared a bill, by which they hoped to have made sure of all future parliaments: in it they declared that corporations could not be forfeited, nor their charters surrendered; and they enacted, that all mayors and recorders who had been concerned in

the private delivering up of charters, without the consent of the whole body, and who had done that in a clandestine manner before the judgment that was given against the charter of London, should be turned out of all corporations, and be incapable of bearing office in them for six years. This was opposed in the house of commons by the whole strength of the tory party; for they saw the carrying it was the total ruin of their interest through the whole kingdom. They said a great deal against the declaratory part; but whatsoever might be in that, they said, since the thing had been so universal, it seemed hard to punish it with such severity; it was said that, by this means, the party for the church would be disgraced, and that the corporations would be cast into the hands of dissenters. And now both parties made their court to the king: the whigs promised every thing that he desired, if he would help them to get this bill passed; and the tories were not wanting in their promises, if the bill should be stopped and the parliament dissolved. The bill was carried in the house of commons by a great majority; when it was brought up to the lords, the first point in debate was upon the declaratory part, whether a corporation could be forfeited or surrendered? Holt and two other judges were for the affirmative, but all the rest were for the negative. No precedents for the affirmative were brought higher than the reign of king Henry the Eighth, in which the abbey's were surrendered; which was at that time so great a point of state, that the authority of these precedents seemed not clear enough for regular times. The house was so equally divided, that it went for the bill only by one voice; after which, little doubt was made of the passing the act. But now the applications of the tories were much quickened; they made the king all possible promises: and the promoters of the bill saw themselves exposed to the corporations, which were to feel the effects of this bill so sensibly, that they made as great promises on their part. The matter was now at a critical issue: the passing the bill put the king and the nation in the hands of the whigs; as the rejecting it, and dissolving the parliament upon it, was such a trusting to the tories, and such a breaking with the whigs, that the king was long in suspense what to do.

He was once very near a desperate resolution: he thought he could not trust the tories, and he resolved he would not trust the whigs; so he fancied the tories would be true to the queen, and confide in her, though they would not in him. He therefore resolved to go over to Holland, and leave the government in the queen's hands; so he called the marquis of Carnarthen, with the earl of Shrewsbury and some few more, and told them he had a convoy ready, and was resolved to leave all in the queen's hands; since he did not see how he could extricate himself out of the difficulties into which the animosities of parties had brought him: they pressed him vehemently to lay aside all such desperate resolutions, and to comply with the present necessity. Much passion appeared among them: the debate was so warm, that many tears were shed; in conclusion, the king resolved to change his first design into another better resolution of going over in person to put an end to the war in Ireland. This was told me some time after by the earl of Shrewsbury; but the queen knew nothing of it till she had it from me: so reserved was the king to her, even in a matter that concerned her so nearly. The king's design of going to Ireland came to be seen by the preparations that were ordered; but a great party was formed in both houses to oppose it. Some did really apprehend the air of Ireland would be fatal to so weak a constitution; and the jacobites had no mind that king James should be so much pressed as he would probably be if the king went against him in person. It was by concert proposed in both houses on the same day to prepare an address to the king against this voyage; so the king, to prevent that, came the next day and prorogued the parliament; and that was soon after followed by a dissolution.

This session had not raised all the money that was demanded for the following campaign, so it was necessary to issue out writs immediately for a new parliament. There was a great struggle all England over in elections; but the corporation bill did so highly provoke all those whom it was to have disgraced, that the tories were by far the greater number in the new parliament. One thing was a part of the bargain that the tories had made, that the lieutenancy of London should be changed; for, upon the king's coming to the crown, he had given a commission, out of which they were all excluded; which was such a mortification to them, that they said they could not live in the City with credit, unless some of them were

again brought into that commission. The king recommended it to the bishop of London, to prepare a list of those who were known to be churchmen, but of the more moderate, and of such as were liable to no just exception; that so the two parties in the city might be kept in a balance. The bishop brought a list of the most violent tories in the City, who had been engaged in some of the worst things that passed in the end of king Charles's reign. A committee of council was appointed to examine the list; but it was so named that they approved of it. This was done to the great grief of the whigs, who said that the king was now putting himself in his enemies' hands; and that the arms of the City were now put under a set of officers, who, if there was a possibility of doing it without hazard, would certainly use them for king James. This matter was managed by the marquis of Carmarthen and the earl of Nottingham; but opposed by the earl of Shrewsbury, who was much troubled at the ill conduct of the whigs, but much more at this great change in the king's government. The elections of parliament went generally for men who would probably have declared for king James, if they could have known how to manage matters for him. The king made a change in the ministry to give them some satisfaction; the earls of Monmouth and Warrington were both dismissed; other lesser changes were made in inferior places; so that whig and tory were now pretty equally mixed; and both studied to court the king, by making advances upon the money bills.

The first great debate arose in the house of lords, upon a bill that was brought in acknowledging the king and queen to be their rightful and lawful sovereigns, and declaring all the acts of the last parliament to be good and valid. The first part passed with little contradiction, though some excepted to the words rightful and lawful as not at all necessary. But the second article bore a long and warm debate. The tories offered to enact that these should be all good laws for the time to come, but opposed the doing it in the declaratory way. They said it was one of the fundamentals of our constitution that no assembly should be called a parliament, unless it was called and chosen upon the king's writ. On the other hand, it was said, that whatsoever tended to the calling the authority of that parliament in question, tended likewise to the weakening of the present government, and brought the king's title into question. A real necessity upon such extraordinary occasions must supersede forms of law: otherwise the present government was under the same nullity. Forms were only rules for peaceable times; but, in such a juncture, when all that had a right to come, either in person, or by their representatives, were summoned and freely elected; and when, by the king's consent, the convention was turned to a parliament, the essentials, both with relation to king and people, were still maintained in the constitution of that parliament. After a long debate, the act passed in the house of lords, with this temper, declaring and enacting that the acts of that parliament were, and are, good and valid; many lords protesting against it: at the head of whom was the earl of Nottingham, notwithstanding his great office at court. It was expected that great and long debates should have been made in the house of commons upon this act. But, to the wonder of all people, it passed in two days in that house, without any debate or opposition. The truth was, the tories had resolved to commit the bill; and, in order to that, some trifling exceptions were made to some words that might want correction; for bills are not committed unless some amendments are offered; and, when it was committed, it was then resolved to oppose it. But one of them discovered this too early, for he questioned the legality of the convention, since it was not summoned by writ. Somers, then solicitor general, answered this with great spirit: he said, if that was not a legal parliament, they who were then met, and had taken the oaths enacted by that parliament, were guilty of high treason: the laws repealed by it were still in force, so they must presently return to king James: all the money levied, collected, and paid, by virtue of the acts of that parliament, made every one that was concerned in it highly criminal. This he spoke with much zeal, and such an ascendant of authority, that none was prepared to answer it; so the bill passed without any more opposition. This was a great service, done in a very critical time, and contributed not a little to raise Somers's character.

The speaker of the house of commons, sir John Trevor, was a bold and dexterous man, and knew the most effectual ways of recommending himself to every government. He had



been in great favour in king James's time, and was made master of the rolls by him ; and, if lord Jefferies had stuck at anything, he was looked on as the man likeliest to have had the great seal. He now got himself to be chosen speaker, and was made first commissioner of the great seal. Being a tory in principle, he undertook to manage that party, provided he was furnished with such sums of money as might purchase some votes ; and by him began the practice of buying off men, in which hitherto the king had kept to stricter rules \*. I took the liberty once to complain to the king of this method. He said, he hated it as much as any man could do ; but he saw it was not possible, considering the corruption of the age, to avoid it, unless he would endanger the whole.

The house of commons gave the king the customs for five years, which they said made it a surer fund for borrowing money upon, than if they had given it for life : the one was subject to accidents, but the other was more certain. They also continued the other branches of the revenue for the same number of years. It was much pressed to have it settled for life ; but it was taken up as a general maxim, that a revenue for a certain and short term was the best security that the nation could have for frequent parliaments. The king did not like this. He said to myself, why should they entertain a jealousy of him, who came to save their religion and liberties, when they trusted king James so much, who intended to destroy both ? I answered, they were not jealous of him, but of those who might succeed him ; and if he would accept of the gift for a term of years, and settle the precedent, he would be reckoned the deliverer of succeeding ages, as well as of the present ; and it was certain that king James would never have run into those counsels that ruined him, if he had obtained the revenue only for a short term ; which probably would have been done, if Argyle's and Monmouth's invasions had not so overawed the house, that it would then have looked like being in a conspiracy with them to have opposed the king's demand. I saw the king was not pleased, though he was persuaded to accept of the grant thus made him. The commons granted a poll bill, with some other supplies, which they thought would answer all the occasions of that year ; but as what they gave did not quite come up to what was demanded, so when the supply was raised, it came far short of what they estimated it at. So that there were great deficiencies to be taken care of in every session of parliament, which ran up every year, and made a great noise, as if the nation was through mismanagement running into a great arrear. An act passed in this session, putting the administration in the queen, during the king's absence out of the kingdom, but with this proviso, that the orders which the king sent should always take place. In all this debate the queen seemed to take no notice of the matter, nor of those who had appeared for it, or against it.

\* Sir John Trevor was a native of Denbighshire. His mother was aunt to lord chancellor Jeffreys ; and he is suspected to have been more intimate with his cousin's wife than either her husband or morality approved. Like Jeffreys, his career commenced humbly ; he was clerk to a relative, a lawyer in the Temple, and became an adept in "the knavish part of the law," which rendered him of singular service to the gamblers whose society he frequented. The two cousins appear to have been equally able, and equally corrupt. Trevor was knighted by Charles the Second in 1671 ; was made solicitor-general and master of the rolls on the death of sir John Churchill ; and a privy councillor in 1688. Jeffreys, at length, appears to have become jealous of Trevor's distinction ; but the latter not only baffled his efforts to humble him, but would probably have supplanted the chancellor, if James had not abdicated the throne. Even then Trevor remained in favour ; the mastership of the rolls was indeed taken from him for a short time, but he was continued speaker of the house of commons ; and presided as chief commissioner of the great seal until Somers was elevated to the chancellorship. The most painful disgrace that ever fell upon him was for accepting 1000*l.* from the city of London, to patronise a bill to satisfy the orphanage debts. After sitting for six hours, and listening to the vituperation of the members

of the house over which he presided, he actually had to put the question against himself, and had to announce the gratifying vote that "Sir John Trevor was guilty of corrupt bribery." He never sat again as speaker ; yet he was never impeached, which enabled some wit to observe of him, as he squinted miserably, that "Justice was blind, but Bribery only squints." Tillotson and he were not friends ; meeting that prelate near the house of lords, he audibly muttered, "I hate a fanatic in lawn sleeves." "I hate a knave in any sleeves," retorted the bishop. Trevor was notoriously penurious, of which the following is an instance. One day, when taking his wine, the footman ushered a relative into the room. "You rascal," said Trevor to the servant, "how dare you bring my cousin Roderic Lloyd, esq., prothonotary of North Wales, marshal to baron Price, and so forth, and so forth, up my *back stairs* ? Take my cousin, Roderic Lloyd, esq., prothonotary of North Wales, marshal to baron Price, and so forth, and so forth—take him instantly back down my *back stairs*, and bring him up my *front stairs*." Remonstrance was vain ; but, whilst the *grande entrée* was being effected, Trevor removed the wine and glasses. He died at his house in Clement's Lane, during the year 1717.—York's Royal Tribes of Wales ; North's Life of L. K. Guildford ; Woolrych's Life of Jeffreys.

The house of commons, to the great grief of the whigs, made an address to the king, thanking him for the alterations he had made in the lieutenancy of London.

But the greatest debate in this session was concerning an abjuration of king James : some of the tories were at first for it, as were all the whigs ; the clergy were excepted out of it, to soften the opposition that might be made. But still the main body of the tories declared they would never take any such oath ; so they opposed every step that was made in it, with a great copiousness of long and vehement arguing. They insisted much on this, that when the government was settled, oaths were made to be the ties of the subject to it, and that all new impositions were a breach made on that which might be called the original contract of the present settlement : things of that kind ought to be fixed and certain, and not mutable and endless : by the same reason that the abjuration was now proposed, another oath might be prepared every year ; and every party that prevailed in parliament would bring in some discriminating oath, or test, such as could only be taken by those of their own side : and thus the largeness and equality of government would be lost and contracted into a faction. On the other side, it was said, that this was only intended to be a security to the government during the war ; for in such a time it seemed necessary, that all who were employed by the government should give it all possible security : it was apparent that the comprehensive words in the oaths of allegiance had given occasion to much equivocation ; many who had taken them having declared, which some had done in print, that they considered themselves as bound by the oaths, only while the king continued in peaceable possession, but not to assist or support his title if it was attacked or shaken : it was therefore necessary that men in public trusts should be brought under stricter ties. The abjuration was debated in both houses at the same time. I concurred with those that were for it. The whigs pressed the king to set it forward : they said, every one who took it would look on himself as impardonable, and so would serve him with the more zeal and fidelity ; whereas those that thought the right to the crown was still in king James, might perhaps serve faithfully as long as the government stood firm ; but as they kept still measures with the other side, to whom they knew they would be always welcome, so they would never act with that life and zeal which the present state of affairs required. At the same time, the tories were as earnest in pressing the king to stop the further progress of those debates : much time was already lost in them ; and it was evident that much more must be lost, if it was intended to carry it on ; since so many branches of this bill, and incidents that arose upon the subject of it, would give occasion to much heat and wrangling : and it was a doubt, whether it would be carried, after all the time that must be bestowed on it, or not : those who opposed it would grow sullen, and oppose every thing else that was moved for the king's service : and, if it should be carried, it would put the king again into the hands of the whigs, who would immediately return to their old practices against the prerogative ; and it would drive many into king James's party, who might otherwise stick firm to the king, or at least be neutrals. These reasons prevailed with the king to order an intimation to be given in the house of commons, that he desired they would let that debate fall, and go to other matters that were more pressing.

This gave a new disgust to the whigs, but was very acceptable to the tories ; and it quickened the advances of money upon the funds that were given : it had indeed a very ill effect abroad : for both friends and enemies looked on it as a sign of a great decline in the king's interest with his people : and the king's interposing to stop further debates in the matter, was represented as an artifice only to save the affront of its being rejected. The earl of Shrewsbury was at the head of those who pressed the abjuration most ; so, upon this change of counsels, he thought he could not serve the king longer with reputation or success. He saw the whigs, by using the king ill, were driving him into the tories ; and he thought these would serve the king with more zeal, if he left his post. The credit that the marquis of Carmarthen had gained was not easy to him ; so he resolved to deliver up the seals. I was the first person to whom he discovered this ; and he had them in his hands when he told me of it ; yet I prevailed with him not to go that night : he was in some heat. I had no mind that the king should be surprised by a thing of that kind ; and I was afraid that the earl of Shrewsbury might have said such things to him, as should have provoked

him too much : so I sent the king word of it. It troubled him more than I thought a thing of that sort could have done : he loved the earl of Shrewsbury, and apprehended that his leaving his service at this time might alienate the whigs more entirely from him : for now they who thought him before of too cold a temper, when they saw how firm he was, came to consider and trust him more than ever. The king sent Tillotson, and all those who had most credit with the earl, to divert him from his resolution ; but all was to no purpose. The agitation of mind that this gave him threw him into a fever, which almost cost him his life. The king pressed him to keep the seals till his return from Ireland, though he should not act as secretary ; but he could not be prevailed on\*. The debate for the abjuration lasted longer in the house of lords : it had some variation from that which was proposed in the house of commons ; and was properly an oath of a special fidelity to the king, in opposition to king James : the tories offered, in bar to this, a negative engagement against assisting king James, or any of his instruments, knowing them to be such, with severe penalties on such as should refuse it. In opposition to this, it was said, this was only an expedient to secure all king James's party, whatever should happen ; since it left them the entire merit of being still in his interests, and only restrained them from putting any thing to hazard for him. The house was so near an equality in every division, that what was gained in one day was lost in the next : and by the heat and length of those debates, the session continued till June. A bill projected by the tories passed, relating to the city of London, which was intended to change the hands that then governed it : but through the haste or weakness of those who drew it, the court of aldermen was not comprehended in it : so, by this act, the government of the city was fixed in their hands : and they were generally whigs. Many discoveries were made of the practices from St. Germain's and Ireland ; but few were taken up upon them : and those were too inconsiderable to know more than that many were provided with arms and ammunition, and that a method was projected for bringing men together upon a call. And indeed things seemed to be in a very ill disposition towards a fatal turn.

The king was making all possible haste to open the campaign, as soon as things could be ready for it, in Ireland. The day before he set out he called me into his closet. He seemed to have a great weight upon his spirits, from the state of his affairs, which was then very cloudy. He said, for his own part, he trusted in God, and would either go through with his business, or perish in it : he only pitied the poor queen, repeating that twice with great tenderness, and wished that those who loved him would wait much on her, and assist her : he lamented much the factions and the heats that were among us, and that the bishops and clergy, instead of allaying them, did rather foment and inflame them : but he was pleased to make an exception of myself : he said, the going to a campaign was naturally no unpleasant thing to him : he was sure he understood that better than how to govern England : he added, that though he had no doubt nor mistrust of the cause he went on, yet the going against king James, in person, was hard upon him, since it would be a vast trouble, both to himself and to the queen, if he should be either killed or taken prisoner : he desired my prayers, and dismissed me, very deeply affected with all he had said.

I had a particular occasion to know how tender he was of king James's person, having learned an instance of it from the first hand : a proposition was made to the king, that a third-rate ship, well manned by a faithful crew, and commanded by one who had been well with king James, but was such a one as the king might trust, should sail to Dublin, and declare for king James. The person who told me this, offered to be the man that should carry the message to king James (for he was well known to him), to invite him to come on board ; which he seemed to be sure he would accept of ; and, when he was aboard, they should sail away with him, and land him either in Spain or Italy, as the king should desire ; and should have twenty thousand pounds to give him, when he should be set ashore. The king thought it was a well formed design, and likely enough to succeed, but would not hearken to it. He said he would have no hand in treachery : and king James would cer-

\* It would seem that the reason of the earl of Shrewsbury's resignation was the disapproval of the bill for abjuring the Stuarts. No persuasions availing to make

him retain office, he sent the seals to the king by the hands of lord Portland, June 3, 1690.—Cox's Shrewsbury Correspondence.



tainly carry some of his guards and of his court aboard with him : and probably they would make some opposition : and in the struggle some accident might happen to king James's person ; in which he would have no hand. I acquainted the queen with this : and I saw in her a great tenderness for her father's person : and she was much touched with the answer the king had made.

He had a quick passage to Ireland, where matters had been kept in the state they were in all this winter : Charlemont was reduced, which was the only place in Ulster that was then left in king James's hands. The king had a great army ; there were about thirty-six thousand men, all in good plight, full of heart and zeal. He lost no time, but advanced in six days from Belfast, where he landed, to the river of Boyne, near Drogheda. King James had abandoned the passes between Newry and Dundalk, which are so strait for some miles, that it had been easy to have disputed every inch of ground. King James and his court were so much lifted up with the news of the debates in parliament, and of the distractions of the city of London, that they flattered themselves with false hopes that the king durst not leave England, nor venture over to Ireland. He had been six days come before king James knew anything of it. Upon that, he immediately passed the Boyne, and lay on the south side of it. His army consisted of twenty-six thousand men ; his horse were good ; and he had five thousand French foot, for whom he had sent over in exchange five thousand Irish foot. He held some councils of war to consider what was fit to be done ; whether he should make a stand there, and put all to the decision of a battle ; or, if he should march off and abandon that river, and, by consequence, all the country on to Dublin.

All his officers, both French and Irish, who disagreed almost in all their advices, yet agreed in this, that though they had there a very advantageous post to maintain, yet their army being so much inferior, both in number and in every thing else, they would put too much to hazard, if they should venture on a battle. They therefore proposed the strengthening their garrisons, and marching off to the Shannon with the horse and a small body of foot, till they should see how matters went at sea ; for the French king had sent them assurances that he would not only set out a great fleet, but that as soon as the squadron that lay in the Irish seas, to guard the transport fleet and to secure the king's passage over, should sail into the channel to join our grand fleet, he would then send into the Irish seas a fleet of small frigates and privateers, to destroy the king's transports. This would have been fatal, if it had taken effect : and the executing of it seemed easy and certain. It would have shut up the king within Ireland, till a new transport fleet could have been brought thither, which would have been the work of some months : so that England might have been lost before he could have passed the seas with his army. And the destruction of his transports must have ruined his army ; for his stores, both of bread and ammunition, were still on board ; and they sailed along the coast as he advanced on his march ; nor was there in all that coast a safe port to cover and secure them. The king indeed reckoned that by the time the squadron, which lay in the Irish seas, should be able to join the rest of the fleet, they would have advanced as far as the chops of the channel, where they would guard both England and Ireland : but things went far otherwise.

The queen was now in the administration. It was a new scene to her : she had for above sixteen months made so little figure in business, that those, who imagined that every woman of sense loved to be meddling, concluded that she had a small proportion of it, because she lived so abstracted from all affairs. Her behaviour was indeed very exemplary : she was exactly regular both in her public and private devotions : she was much in her closet, and read a great deal : she was often busy at work, and seemed to employ her time and thoughts in any thing, rather than matters of state : her conversation was lively and obliging : every thing in her was easy and natural : she was singular in great charities to the poor ; of whom, as there are always great numbers about courts, so the crowds of persons of quality that had fled over from Ireland drew from her liberal supplies : all this was nothing to the public. If the king talked with her of affairs, it was in so private a way, that few seemed to believe it. The earl of Shrewsbury told me that the king had upon many occasions said to him, that though he could not hit on the right way of pleasing England, he was confident she would ; and that we should all be very happy under her. The king named a cabinet

council of eight persons, on whose advice she was chiefly to rely : four of them were tories and four were whigs ; yet the marquis of Caermarthen and the earl of Nottingham, being of the first sort, who took most upon them and seemed to have the greatest credit, the whigs were not satisfied with the nomination. The queen balanced all things with an extraordinary temper ; and became universally beloved and admired by all about her.

Our concerns at sea were then the chief thing to be looked to : an unhappy compliment of sending a fleet to convoy a queen to Spain proved almost fatal to us. They were so long delayed by contrary winds, that a design of blocking up Toulon was lost by it. The great ships that lay there had got out before our fleet could reach the place. Our squadron returned back, and went into Plymouth to refit there ; and it was joined by that which came from the Irish seas. These two squadrons consisted of above thirty ships of the line. The earl of Torrington, that had the chief command, was a man of pleasure, and did not make the haste that was necessary to go about and join them ; nor did the Dutch fleet come over so soon as was promised ; so that our main fleet lay long at Spithead. The French understood that our fleets lay thus divided, and saw the advantage of getting between them : so they came into the channel with so fair a wind, that they were near the Isle of Wight before our fleet had any advice of their being within the channel. The earl of Torrington had no advice-boats out to bring him news ; and though notice thereof was sent post over-land as soon as the French came within the channel, yet their fleet sailed as fast as the post could ride ; but then the wind turned upon them, otherwise they would in all probability have surprised us. But after this first advantage, the winds were always contrary to them and favourable to us. So that the French officers in Ireland had reason to look for that fleet of smaller vessels, which was promised to be sent to destroy the king's transport ships. And for these reasons all king James's officers were against bringing the war to so speedy a decision.

In opposition to all their opinions, king James himself was positive that they must stay and defend the Boyne : if they marched off and abandoned Dublin, they would so lose their reputation, that the people would leave them and capitulate ; it would also dispirit all their friends in England : therefore he resolved to maintain the post he was in, and seemed not a little pleased to think that he should have one fair battle for his crown. He spoke of this with so much seeming pleasure, that many about him apprehended that he was weary of the struggle, and even of life, and longed to see an end of it at any rate : and they were afraid that he would play the hero a little too much. He had all the advantages he could desire : the river was deep, and rose very high with the tide : there was a morass to be passed after the passing the river, and then a rising ground.

On the last of June, the king came to the banks of the river ; and as he was riding along, and making a long stop in one place to observe the grounds, the enemy did not lose their opportunity, but brought down two pieces of cannon, and, with the first firing, a ball passed along the king's shoulder, tore off some of his clothes and about a hand-breadth of the skin, out of which about a spoonful of blood came ; and that was all the harm it did him. It cannot be imagined how much terror this struck into all that were about him ; he himself said it was nothing ; yet he was prevailed on to alight till it was washed and a plaister put upon it ; and immediately he mounted his horse again, and rode about all the posts of his army. It was indeed necessary to show himself everywhere, to take off the apprehensions with which such an unusual accident filled his soldiers. He continued that day nineteen hours on horseback ; but, upon his first alighting from his horse, a deserter had gone over to the enemy with the news, which was carried quickly into France, where it was taken for granted that he could not outlive such a wound ; so it ran over that kingdom that he was dead. And upon it there were more public rejoicings than had been usual upon their greatest victories ; which gave that court afterwards a vast confusion, when they knew that he was still alive ; and saw that they had raised in their own people a high opinion of him by this inhuman joy, when they believed him dead.

But to return to the action of the Boyne. The king sent a great body of cavalry to pass the river higher, while he resolved to pass it in the face of the enemy ; and the duke of

Schomberg was to pass it in a third place, a little below him. I will not enter into the particulars of that day's action, but leave that to military men\*.

It was a complete victory; and those who were the least disposed to flattery, said, it was almost wholly due to the king's courage and conduct; and, though he was a little stiff by reason of his wound, yet he was forced to quit his horse in the morass, and to go through it on foot: but he came up in time to ride almost into every body of his army: he charged in many different places, and nothing stood before him. The Irish horse made some resistance, but the foot threw down their arms, and ran away. The most amazing circumstance was, that king James stayed all the while with his guards, at a safe distance, and never came into the places of danger or of action; and, when he saw his army was every where giving ground, was the first that ran for it, and reached Dublin before the action was quite over; for it was dark before the king forsook the pursuit of the Irish. His horse and dragoons were so weary, with the fatigue of a long action in a hot day, that they could not pursue far; nor was their camp furnished with necessary refreshments till next morning; for the king had marched faster than the waggons could possibly follow. The army of the Irish were so entirely forsaken by their officers, that the king thought they would have dispersed themselves, and submitted; and that the following them would have been a mere butchery, which was a thing he had always abhorred. The only allay to this victory was the loss of the duke of Schomberg; he passed the river in his station, and was driving the Irish before him, when a party of desperate men set upon him, as he was riding very carelessly, with a small number about him. They charged, and in the disorder of that action he was shot; but it could not be known by whom; for most of all the party was cut off. Thus that great man, like another Epaminondas, fell on the day in which his side triumphed†.

King James came to Dublin, under a very indecent consternation: he said all was lost; he had an army in England that could have fought, but would not; and now he had an army that would have fought, but could not. This was not very gratefully, nor decently spoken by him, who was among the first that fled. Next morning he left Dublin: he said, too much blood had been already shed; it seemed God was with their enemies; the prince of Orange was a merciful man; so he ordered those he left behind him to set the prisoners at liberty, and to submit to the prince: he rode that day from Dublin to Duncannon Fort; but, though the place was considerably strong, he would not trust to that, but lay aboard a French ship that anchored there, and had been provided, by his own special directions to sir Patrick Trant. His courage sunk with his affairs to a degree that amazed those who had known the former parts of his life. The Irish army was forsaken by their officers for two days; if there had been a hot pursuit, it would have put an end to the war of Ireland; but the king thought his first care ought to be to secure Dublin; and king James's officers, as they abandoned it, went back to the army, only in hopes of a good capitulation. Dublin was thus forsaken, and no harm done, which was much apprehended; but the fear the Irish were in was such, that they durst not venture on any thing which must have drawn severe revenges after it. So the protestants there, being now the masters, they declared for the king. Drogheda did also capitulate.

But, to balance this great success, the king had, the very day after the battle at the Boyne, the news of a battle fought in Flanders, between prince Waldeck and the marshal Luxembourg, in which the former was defeated. The cavalry did at the first charge run, but the foot made an amazing stand. The French had the honour of a victory, and took many prisoners, with the artillery; yet the stand the infantry made was such, that they lost more than they got by the day; nor were they able to draw any advantage from it. This was the battle of Fleurus, that, in the consequence of it, proved the means of preserving England.

\* The battle of the Boyne was fought on the 1st of July.

† Frederic Schomberg, duke of Schomberg, marquis of Harwich, earl of Brentford, &c., was born in 1608. His father was count Schomberg; his mother a daughter of lord Dudley. A German and a calvinist, he sought employment as a military adventurer in Holland, under

William the Second. Becoming unpopular with the Dutch, on the death of this prince, he entered into the service of Lewis the Fourteenth, in whose army he served with entire devotion. At this period he is first mentioned in this work, and the most prominent features of his life have been noticed. — Birch's Lives.



On the day before the battle of the Boyne, the two fleets came to a great engagement at sea. The squadron that lay at Plymouth could not come up to join the great fleet, the wind being contrary ; so it was under debate, what was fittest to be done : the earl of Torrington thought he was not strong enough, and advised his coming in, till some more ships, that were fitting out, should be ready ; some began to call his courage in question, and imputed this to fear ; they thought this would too much exalt our enemies, and discourage our allies, if we left the French to triumph at sea, and to be the masters of our coast and trade ; for our merchants' richest ships were coming home ; so that the leaving them in such a superiority would be both very unbecoming, and very mischievous to us. The queen ordered Russel to advise, both with the navy board, and with all that understood sea affairs ; and, upon a view of the strength of both fleets, they were of opinion, that though the French were superior in number, yet our fleet was so equal in strength to them, that it was reasonable to send orders to our admiral to venture on an engagement ; yet the orders were not so positive, but that a great deal was left to a council of war. The two fleets engaged near Beachy, in Sussex ; the Dutch led the van ; and, to shew their courage, they advanced too far out of the line, and fought, in the beginning, with some advantage, the French flying before them ; and our blue squadron engaged bravely ; but the earl of Torrington kept in his line, and continued to fight at a distance : the French, seeing the Dutch came out so far before the line, fell on them furiously, both in front and flank, which the earl of Torrington neglected for some time ; and, when he endeavoured to come a little nearer, the calm was such, that he could not come up. The Dutch suffered much, and their whole fleet had perished, if their admiral, Calembourg, had not ordered them to drop their anchors, while their sails were all up : this was not observed by the French ; so they were carried by the tide, while the others lay still ; and thus in a few minutes the Dutch were out of danger. They lost many men, and sunk some of their ships, which had suffered the most, that they might not fall into the enemy's hands. It was now necessary to order the fleet to come in with all possible haste : both the Dutch and the blue squadron complained much of the earl of Torrington ; and it was a general opinion that if the whole fleet had come up to a close fight, we must have beat the French : and, considering how far they were from Brest, and that our squadron at Plymouth lay between them and home, a victory might have had great consequences. Our fleet was now in a bad condition, and broken into factions ; and if the French had not lost the night's tide, but had followed us close, they might have destroyed many of our ships. Both the admirals were almost equally blamed ; ours for not fighting, and the French for not pursuing his victory.

Our fleet came in safe ; and all possible diligence was used in refitting it ; the earl of Torrington was sent to the Tower, and three of our best sea officers had the joint command of the fleet ; but it was a month before they could set out ; and, in all that time, the French were masters of the sea, and our coasts were open to them. If they had followed the first consternation, and had fallen to the burning our sea towns, they might have done us much mischief, and put our affairs in great disorder ; for we had not above seven thousand men then in England. The militia was raised, and suspected persons were put in prison ; in this melancholy conjuncture, though the harvest drew on, so that it was not convenient for people to be long absent from their labour, yet the nation expressed more zeal and affection to the government than was expected. And the Jacobites, all England over, kept out of the way, and were afraid of being fallen upon by the rabble. We had no great losses at sea ; for most of our merchantmen came safe into Plymouth ; the French stood over, for some time, to their own coast ; and we had many false alarms of their shipping troops, in order to a descent. But they had suffered so much in the battle at Fleurus, and the Dutch used such diligence in putting their army in a condition to take the field again, and the elector of Brandenburg, bringing his troops to act in conjunction with theirs, gave the French so much work, that they were forced, for all their victory, to lie upon the defensive, and were not able to spare so many men as were necessary for an invasion. The Dutch did indeed send positive orders to prince Waldeck, not to hazard another engagement till the fleet should be again at sea : this restrained the elector, who, in conjunction with the Dutch, was much superior to Luxembourg ; and afterwards, when the Dutch superseded those orders, the

elector did not think fit to hazard his army. Such is the fate of confederate armies, when they are under a different direction; that, when the one is willing, or at least seems to be so, the other stands off. The French riding so long, so quietly in our seas, was far from what might have been expected, after such an advantage: we understood afterwards, that they were still waiting, when the Jacobites should, according to their promises, have begun a rising in England; but they excused their failing in that, because their leaders were generally clapped up.

That party began to boast, all England over, that it was visible that the French meant no harm to the nation, but only to bring back king James; since now, though our coasts lay open to them, they did us no harm. And this might have made some impression, if the French had not effectually refuted it. Their fleet lay for some days in Torbay; their equipages were weakened; and by a vessel that carried a packet from Tourville to the court of France, which was taken, it appeared that they were then in so bad a condition, that if our fleet (which upon this was hastened out all that was possible) could have overtaken them, we should have got a great victory very cheap. But before they sailed, they made a descent on a miserable village, called Teignmouth, that happened to belong to a papist: they burnt it, and a few fisher-boats that belonged to it; but the inhabitants got away; and, as a body of militia was marching thither, the French made great haste back to their ships. The French published this in their gazettes, with much pomp, as if it had been a great trading town, that had many ships, with some men of war in port. This both rendered them ridiculous, and served to raise the hatred of the nation against them; for every town on the coast saw what they must expect if the French should prevail.

In all this time of fear and disorder, the queen shewed an extraordinary firmness; for though she was full of dismal thoughts, yet she put on her ordinary cheerfulness when she appeared in public, and shewed no indecent concern; I saw her all that while once a week, for I stayed that summer at Windsor: her behaviour was, in all respects, heroical; she apprehended the greatness of our danger; but she committed herself to God, and was resolved to expose herself, if occasion should require it: for she told me, she would give me leave to wait on her if she was forced to make a campaign in England, while the king was in Ireland.

Whilst the misfortunes in Flanders, and at sea, were putting us in no small agitation, the news first of the king's preservation from the cannon ball, and then of the victory, gained the day after, put another face on our affairs: the earl of Nottingham told me, that when he carried the news to the queen, and acquainted her in a few words that the king was well, that he had gained an entire victory, and that the late king had escaped; he observed her looks, and found that the last article made her joy complete, which seemed in some suspense, till she understood that. The queen and council upon this sent to the king, pressing him to come over with all possible haste; since, as England was of more importance, so the state of affairs required his presence here: for it was hoped the reduction of Ireland would be now easily brought about. The king, as he received the news of the battle of Fleurus, the day after the victory at the Boyne; so on the day in which he entered Dublin, he had the news of the misfortune at sea, to temper the joy, that his own successes might give him: he had taken all the earl of Tyrconnel's papers in the camp; and he found all king James's papers left behind him in Dublin; by these he understood the design the French had of burning his transport fleet, which was therefore first to be taken care of; and since the French were now masters at sea, he saw nothing that could hinder the execution of that design.

Among the earl of Tyrconnel's papers there was one letter written to queen Mary at St. Germain's, the night before the battle; but it was not sent. In it, he said, he looked on all as lost, and ended it thus: "I have now no hope in any thing but in Jones's business." The marquis of Caermarthen told me that some weeks before the king went to Ireland, he had received an advertisement, that one named Jones, an Irishman, who had served so long in France and Holland, that he spoke both languages well, was to be sent over to murder the king. And sir Robert Southwell told me, that he, as secretary of state for Ireland, had looked into all Tyrconnel's papers, and the copies of the letters he wrote to queen Mary,

which he had still in his possession ; and he gave me the copies of two of them. In one of these he writes, that Jones was come ; that his proposition was more probable, and likelier to succeed than any yet made : his demands were high, but he added, “ if any thing can be high for such a service.” In another he writes, that Jones had been with the king, who did not like the thing at first ; but he added, we have now to satisfy him both in conscience and honour, that every thing is done that Jones desires. Southwell further told me, that Deagle, the attorney-general, had furnished him with money, and a poniard of a particular composition ; and that they sought long for a bible, bound without a common prayer book, which he was to carry in his pocket, that so he might pass, if seized on, for a dissenter. Some persons of great quality waited on him to the boat that was to carry him over ; he was for some time delayed in Dublin ; and the king had passed over to Ireland before he could reach him : we could never hear of him more ; so it is likely he went away with his money. A paper was drawn of all this matter, and designed to be published ; but, upon second thoughts, the king and queen had that tenderness for king James, that they stopped the publishing to the world so shameful a practice. The king said, upon this, to myself, that God had preserved him out of many dangers, and he trusted he would still preserve him ; he was sure he was not capable of retaliating in that way. The escape of a cannon-ball, that touched him, was so signal, that it swallowed up lesser ones : yet, in the battle at the Boyne, a musket-ball struck the heel of his boot, and recoiling, killed a horse near him ; and one of his own men, mistaking him for an enemy, came up to shoot him ; but he gently put by his pistol, and only said, “ Do not you know your friends ?”

At Dublin he published a proclamation of grace, offering to all the inferior sort of the Irish, their lives and personal estates, reserving the consideration of the real estates of the better sort to a parliament, and indemnifying them only for their lives ; it was hoped that the fulness of the pardon of the commons might have separated them from the gentry ; and that by this means, they would be so forsaken, that they would accept of such terms as should be offered them. The king had intended to have made the pardon more comprehensive ; hoping, by that, to bring the war soon to an end : but the English in Ireland opposed this. They thought the present opportunity was not to be let go, of breaking the great Irish families, upon whom the inferior sort would always depend. And, in compliance with them, the indemnity, now offered, was so limited, that it had no effect ; for the priests, who governed the Irish with a very blind and absolute authority, prevailed with them to try their fortunes still. The news of the victory the French had at sea was so magnified among them, that they made the people believe that they would make such a descent upon England, as must oblige the king to abandon Ireland. The king was pressed to pursue the Irish, who had retired to Athlone and Limerick, and were now joined by their officers, and so brought again into some order : but the main concern was, to put the transport fleet in a safe station. And that could not be had till the king was master of Waterford and Duncannon Fort, which commanded the entrance into the river ; both these places capitulated, and the transports were brought thither. But they were not now so much in danger, as the king had reason to apprehend ; for king James, when he sailed away from Duncannon, was forced by contrary winds to go into the road of Kinsale, where he found some French frigates that were already come to burn our fleet : he told them it was now too late, all was lost in Ireland. So he carried them back to convoy him over to France, where he had but a cold reception ; for the miscarriage of affairs in Ireland was imputed both to his ill conduct and his want of courage. He fell under much contempt of the people of France ; only that king continued still to behave himself decently towards him.

The king sent his army towards the Shannon ; and he himself came to Dublin, intending, as he was advised, to go over to England ; but he found there letters of another strain : things were in so good a posture, and so quiet in England, that they were no more in any apprehension of a descent ; so the king went back to his army, and marched towards Limerick. Upon this Lauzun, who commanded the French, left the town, and sent his equipage to France, which perished in the Shannon. It was hoped that Limerick, seeing itself thus abandoned, would have followed the example of other towns, and have capitulated. Upon that confidence the king marched towards it, though his army was now much



diminished : he had left many garrisons in several places, and had sent some of his best bodies over to England ; so that he had not now above 20,000 men together. Limerick lies on both sides of the Shannon, and on an island, that the river makes there : the Irish were yet in great numbers in Connaught ; so that, unless they had been shut up on that side, it was easy to send in a constant supply both of men and provisions : nor did it seem advisable to undertake the siege of a place so situated with so small an army, especially in that season, in which it used to rain long ; and by that means, both the Shannon would swell, and the ground, which was the best soil of Ireland, would be apt to become deep, and scarce practicable for carriages. Yet the cowardice of the Irish, the consternation they were in, and their being abandoned by the French, made the king resolve to sit down before it. Their out-works might have been defended for some time ; but they abandoned these in so much disorder, that it was from hence believed they would not hold out long. They also abandoned the posts which they had on the other side of the Shannon : upon which the king passed the river, which was then very low, and viewed those posts ; but he had not men to maintain them ; so he continued to press the town on the Munster side.

He sent for some more ammunition, and some great guns ; they had only a guard of two troops of horse to convoy them, who despised the Irish so much, and thought they were at such distance, that they set their horses to grass, and went to bed. Sarsfield, one of the best officers of the Irish, heard that the king rode about very carelessly, and upon that, had got a small body of resolute men together, on design to seize his person ; but now, hearing of this convoy, he resolved to cut it off : the king had advertisement of this brought him in time, and ordered some more troops to be sent to secure the convoy ; they, either through treachery or carelessness, did not march till it was night, though their orders were for the morning ; but they came a few hours too late. Sarsfield surprised the party, destroyed the ammunition, broke the carriages, and burst one of the guns, and so marched off. Lanier, whom the king had sent with the party, might have overtaken him ; but the general observation made of him (and of most of those officers who had served king James, and were now on the king's side) was, that they had a greater mind to make themselves rich by the continuance of the war of Ireland, than their master great, and safe, by the speedy conclusion of it.

By this the king lost a week, and his ammunition was low ; for a great supply that was put on ship-board in the river of Thames, before the king left London, still remained there, the French being masters of the channel : yet the king pressed the town so hard, that the trenches were run up to the counterscarp ; and when they came to lodge there, the Irish ran back so fast at a breach that the cannon had made, that a body of the king's men ran in after them ; and if they had been seconded, the town had been immediately taken ; but none came in time, so they retired : and though the king sent another body, yet they were beaten back with loss. As it now began to rain, the king saw that if he stayed longer there, he must leave his great artillery behind him : he went into the trenches every day ; and it was thought he exposed himself too much. His tent was pitched within the reach of their cannon ; they shot often over it, and beat down a tent very near it ; so he was prevailed on to let it be removed to a greater distance : once, upon receiving a packet from England, he sat down in the open field for some hours, reading his letters, while the cannon balls were flying round about him. The Irish fired well, and shewed they had some courage, when they were behind walls, how little soever they had shewn in the field.

The king lay three weeks before Limerick, but at last the rains forced him to raise the siege : they within did not offer to sally out and disorder the retreat : this last action proving unlucky, had much damped the joy that was raised by the first success of this campaign. The king expressed a great equality of temper upon the various accidents that happened at this time. Dr. Hutton, his first physician, who took care to be always near him, told me, he had observed his behaviour very narrowly upon two very different occasions.

The one was, after the return from the victory at the Boyne, when it was almost midnight, after he had been seventeen hours in constant fatigue, with all the stiffness that his wound gave him ; he expressed neither joy nor any sort of vanity ; only he looked cheer-

ful; and when those about him made such compliments, as will be always made to princes, even though they do not deserve them, he put all that by with such an unaffected neglect, that it appeared how much soever he might deserve the acknowledgments that were made him, yet he did not like them. And this was so visible to all about him, that they soon saw that the way to make their court was, neither to talk of his wound, nor of his behaviour on that day. As soon as he saw his physician, he ordered him to see that care should be taken of the wounded men, and he named the prisoners, as well as his own soldiers. And though he had great reason to be offended with Hamilton, who had been employed to treat with the earl of Tyrconnel, and was taken prisoner in his sight, and was preserved by his order; yet since he saw he was wounded, he gave particular directions to look after him. Upon the whole matter the king was as grave and silent as he used to be; and the joy of a day, that had been both so happy and so glorious to him, did not seem to alter his temper or deportment in any way.

He told me he was also near him when it was resolved to raise the siege of Limerick; and saw the same calm, without the least depression, disorder, or peevishness: from this he concluded, that either his mind was so happily balanced, that no accident could put it out of that situation; or that, if he had commotions within, he had a very extraordinary command over his temper, in restraining or concealing them.

While he lay before Limerick, he had news from England that our fleet was now out, and that the French were gone to Brest: so, since we were masters of the sea, the earl of Marlborough proposed that five thousand men who had lain idle all this summer in England, should be sent to Ireland; and with the assistance of such men as the king should order to join them, they should try to take Cork and Kinsale. The king approved of this and ordered the earl to come over with them: and he left orders for about five thousand more, who were to join him. And so he broke up this campaign and came over to Bristol, and from thence to London. The contrary winds stopped the earl of Marlborough so, that it was October before he got to Ireland\*. He soon took Cork by storm; and four thousand men, that lay there in garrison, were made prisoners of war. In this action the duke of Grafton received a shot, of which he died in a few days: he was the more lamented, as being the person of all king Charles's children, of whom there was the greatest hope: he was brave, and probably would have become a great man at sea†. From Cork, the earl of Marlborough marched to Kinsale, where he found the two forts that commanded the port to be so much stronger than the plans had represented them to be, that he told me, if he had known their true strength, he had never undertaken the expedition in a season so far advanced; yet in a few days the place capitulated. The Irish drew their forces together, but durst not venture on raising the siege; but to divert it, they set the country about, which was the best built of any in Ireland, all in a flame.

Thus those two important places were reduced in a very bad season, and with very little loss; which cut off the quick communication between France and Ireland. Count Lauzun, with the French troops, lay all this while about Galway, without attempting any thing; he sent over to France an account of the desperate state of their affairs, and desired ships might be sent for the transport of their forces: that was done; yet the ships came not till the siege of Limerick was raised: probably, if the court of France had known how much the state of affairs was altered, they would have sent contrary orders; but Lauzun was

\* The best biography of this great general is by archdeacon Coxe, entitled "Memoirs of John, duke of Marlborough, with his original Correspondence." It contains much valuable information relative to this period.

† Henry Fitzroy was the illegitimate offspring of Barbara Villiers, duchess of Cleveland, by Charles the Second. He was born in 1663. In 1673 he had conferred upon him the dukedom of Grafton. He saw a good deal of naval service under sir Charles Bury, vice-admiral of England; and acted gallantly against the duke of Monmouth. In 1687, the duke of Somerset having, as was noticed in a previous page, declined introducing the pope's nuncio, the archbishop of Amasia, at his public audience,

the duke of Grafton performed this unpopular act. He subsequently served James the Second in various capacities; but upon the arrival of the Prince of Orange, he, together with lord Churchill (afterwards duke of Marlborough), were the first to join him; yet he voted for the appointment of a regent. When the parliament had declared William and Mary sovereigns, he adhered to them, and bore the globe during the coronation ceremony. The duke received his death-wound on the 28th of September, 1690, whilst leading on the grenadiers to the breach in the walls of Cork. He is buried at Euston, in Suffolk.—Grainger's Biog. Hist.

weary of the service, and was glad to get out of it; so he sailed away, without staying for new orders, by which he lost the little reputation that he was beginning to recover at the court of France. The earl of Tyrconnel went over with him, and gave full assurances, that though the Irish were likely to suffer great hardships next winter, yet they would stand it out, if they were still supported from France. It had appeared, upon many occasions, that the French and the Irish soldiers did not agree well together; therefore he proposed, that no more soldiers, but only a number of good officers, together with arms, ammunition, and clothes, might be sent over to them. In the mean while, the Irish formed themselves into many bodies, which, by a new name, were called *rapparees*\*. These, knowing all the ways, and the bogs, and other places of retreat in Ireland, and being favoured by the Irish, that had submitted to the king, robbed and burned houses in many places of the country; while the king's army studied their own ease in their quarters more than the protection of the inhabitants: many of them were suspected of robbing in their turn, though the rapparees carried the blame of all: between them, the poor inhabitants had a sad time, and their stock of cattle and corn was almost quite destroyed in many places.

From the affairs of Ireland, I turn next to give an account of what passed in Scotland; matters went very happily, as to the military part: when the remnants of the earl of Dundee's army (to whom many officers, together with ammunition and money, had been sent from Ireland) began to move towards the low country, to receive those who were resolved to join with them, and were between two and three thousand strong; they were fallen upon, and entirely defeated by a Dutch officer, Levingston, that commanded the forces in Scotland; about an hundred officers were taken prisoners; this broke all the measures that had been taken for king James's interests in Scotland. Upon this, those who had engaged in Montgomery's plot, looked upon that design as desperate; yet they resolved to try what strength they could make in parliament.

Lord Melvill carried down powers, first to offer to duke Hamilton, if he would join in common measures heartily with him, to be commissioner in parliament, or if he proved intractable, as indeed he did, to serve in that post himself. He had full instructions for the settlement of presbytery; for he assured the king, that without that, it would be impossible to carry any thing; only the king would not consent to the taking away the rights of patronage, and the supremacy of the crown; yet he found these so much insisted on, that he sent one to the king to Ireland for fuller instructions in those points; they were enlarged, but in such general words, that the king did not understand that his instructions could warrant what lord Melvill did; for he gave them both up. And the king was so offended with him for it, that he lost all the credit he had with him; though the king did not think fit to disown him, or to call him to an account, for going beyond his instructions.

The Jacobites persuaded all their party to go to the parliament, and to take the oaths; for many of the nobility stood off, and would not own the king, nor swear to him: great pains were taken by Paterson, one of their archbishops, to persuade them to take the oaths, but on design to break them; for he thought, by that means, they could have a majority in parliament; though some of the laity were too honest to agree to such advices; but with all these wicked arts they were not able to carry a majority. So, other things failing, they saw a necessity of desiring a force to be sent over from France; this appeared so odious, and so destructive to their country, that some of them refused to concur in it; others were not pleased with the answers king James had sent to the propositions they had made him. He had indeed granted all that they had asked, upon their own particular interests, and had promised to settle presbytery; but he rejected all those demands that imported a diminution of his prerogative, in as firm a manner as if he had been already set on the throne again: they proposed, finding his answer so little to their satisfaction, to send him a second message.

Upon this the earls of Argyle, Annandale, and Breadalbane, withdrew from them; Annandale came up to the Bath, pretending his ill health: both lord Argyle and Breadalbane went to Chester, pretending, as they said afterwards, that they intended to discover

\* The marauding rebels were so called, because generally armed with a short pike, which in Irish is called "a rapery."—Todd's Johnson's Dict.



the whole matter to the king; but he had passed over to Ireland before they got to Chester. Montgomery upon this looked on the design as broken; and so he went and reconciled himself to Melvill, and discovered the whole negotiation to him. Upon which, the earl of Melvill pressed the king to grant a general indemnity, and gave Montgomery a pass to go to London; and he wrote to the queen in his favour. But the king was resolved to know the bottom of the plot, and particularly how far any of the English were engaged in it: so Montgomery absconded for some time in London, since he saw no hopes of pardon, but upon a full discovery. A warrant was sent to the Bath for the earl of Annandale, of which he had notice given him, and went up privately to London. Montgomery sent Ferguson to him, assuring him that he had discovered nothing, and desiring him to continue firm and secret: but when he had certain notice that Montgomery had discovered all the negotiation among the Scotch, he cast himself on the queen's mercy, asking no other conditions, but that he might not be made an evidence against others. He himself had not treated with any in England, so as to them he was only a second-hand witness; only he informed against Nevil Payne, who had been sent down to Scotland, to manage matters among them: he was taken there, but would confess nothing. Upon the earl of Annandale's information, which he gave upon oath, the earl of Nottingham wrote to the council of Scotland, that he had in his hands a deposition upon oath, containing matter of high treason against Payne; upon which it was pretended, that, according to the law of Scotland, he might be put to the torture; and that was executed with rigour. He resisted a double question, yet was still kept a prisoner; and this was much cried out on, as barbarous and illegal. Montgomery lay hid for some months at London; but when he saw he could not have his pardon but by making a full discovery, he chose rather to go beyond sea: so fatally did ambition and discontent hurry a man to ruin, who seemed capable of greater things. His art in managing such a design, and his firmness in not discovering his accomplices, raised his character as much as it ruined his fortune. He continued in perpetual plots after this, to no purpose: he was once taken, but made his escape; and at last, spleen and vexation put an end to a turbulent life.

The lord Melvill had now a clear majority in parliament by the discovery of the plot; some absented themselves; and others, to redeem themselves, were compliant in all things: the main point by which Melvill designed to fix himself, and his party, was, the abolishing of episcopacy, and the setting up of presbytery. The one was soon done by repealing all the laws in favour of episcopacy, and declaring it contrary to the genius and constitution of that church and nation; for the king would not consent to a plain and simple condemnation of it. But it was not so easy to settle presbytery. If they had followed the pattern, set them in the year 1638, all the clergy, in a parity, were to assume the government of the church; but those being episcopal, they did not think it safe to put the power of the church in such hands; therefore it was pretended, that such of the presbyterian ministers as had been turned out in the year 1662, ought to be considered as the only sound part of the church: and of these there happened to be then threescore alive; so the government of the church was lodged with them; and they were empowered to take to their assistance, and to a share in the church government, such as they should think fit: some furious men who had gone into very frantic principles, and all those who had been secretly ordained in the presbyterian way, were presently taken in; this was likely to prove a fatal error at their first setting out: the old men among them, what by reason of their age, or their experience of former mistakes, were disposed to more moderate counsels; but the taking in such a number of violent men, put it out of their power to pursue them; so these broke out into a most extravagant way of proceeding against such of the episcopal party as had escaped the rage of the former year. Accusations were raised against them; some were charged for their doctrine, as guilty of Arminianism; others were loaded with more scandalous imputations; but these were only thrown out to defame them. And where they looked for proof, it was in a way more becoming inquisitors than judges; so apt are all parties, in their turns of power, to fall into those very excesses, of which they did formerly make such tragical complaints. All other matters were carried, in the parliament of Scotland, as the lord Melvill and the presbyterians desired. In lieu of

the king's supremacy, he had chimney-money given him ; and a test was imposed on all in office, or capable of electing, or being elected to serve in parliament, declaring the king and queen to be their rightful and lawful sovereigns, and renouncing any manner of title pretended to be in king James.

As for affairs abroad, the duke of Savoy came into the alliance ; the French suspected he was in a secret treaty with the emperor, and so they forced him to declare it, before matters were ripe for it. They demanded, that he would put Turin and Montmelian in their hands. This was upon the matter to ask all, and to make him a vassal prince : upon his refusal, a French army took possession of Savoy ; and marched into Piedmont, before he was ready to receive them ; for though the imperialists and the Spaniards had made him great promises, in which they are never wanting, when their affairs require it, yet they failed so totally in the performance, that if the king and the Dutch, who had promised him nothing, had not performed every thing effectually, he must have become at once a prey to the French. The emperor was this year unhappy in Hungary, both by losing Belgrade, and by some other advantages, which the Turks gained ; yet he was as little inclined to peace, as he was capable of carrying on the war.

The king at his first coming over from Ireland was so little wearied with that campaign, that he intended to have gone over to his army in Flanders ; but it was too late ; for they were going into winter quarters ; so he held the session of parliament early, about the beginning of October, that so, the funds being settled for the next year, he might have an interview with many of the German princes, who intended to meet him at the Hague, that they might concert measures for the next campaign.

Both houses began with addresses of thanks and congratulation to the king and queen, in which they set forth the sense they had of their pious care of their people, of their courage and good government, in the highest expressions that could be conceived ; with promises of standing by them, and assisting them, with every thing that should be found necessary for the public service : and they were as good as their word ; for the king, having laid before them the charge of the next year's war, the estimate rising to above four millions, the vastest sum that ever a king of England had asked of his people, they agreed to it ; the opposition that was made being very inconsiderable ; and they consented to the funds proposed, which were thought equal to that which was demanded, though these proved afterwards to be defective. The administration was so just and gentle, that there were no grievances to inflame the house, by which the most promising beginnings of some sessions, in former reigns, had often miscarried.

Some indeed began to complain of a mismanagement of the public money ; but the ministry put a stop to that, by moving for a bill, empowering such as the parliament should name, to examine into all accounts, with all particulars relating to them ; giving them authority to bring all persons that they should have occasion for, before them, and to tender them an oath, to discover their knowledge of such things as they should ask of them. This was like the power of a court of inquisition ; and how unusual soever such a commission was, yet it seemed necessary to grant it, for the bearing down and silencing all scandalous reports. When this bill was brought to the lords, it was moved, that since the commons had named none but members of their own house, that the lords should add some of their number : this was done by ballot ; and the earl of Rochester having made the motion, the greatest number of ballots were for him ; but he refused to submit to this, with so much firmness, that the other lords, who were named with him, seemed to think they were in honour bound to do the same ; so, since no peer would suffer himself to be named, the bill passed as it was sent up. Many complaints were made of the illegal commitments of suspected persons for high treason ; though there was nothing sworn against them : but the danger was so apparent, and the public safety was so much concerned in those imprisonments, that the house of commons made a precedent for securing a ministry that should do the like upon the like necessity, and yet maintained the habeas corpus act ; they indemnified the ministry for all that had been done contrary to that act.

Great complaints were brought over from Ireland, where the king's army was almost as heavy on the country as the Rapparees were : there was a great arrear due to them :

for which reason, when the king settled a government in Ireland, of three lords justices, he did not put the army under their civil authority, but kept them in a military subjection to their officers; for, he said, since the army was not regularly paid, it would be impossible to keep them from mutiny, if they were put under strict discipline, and punished accordingly. The under officers, finding that they were only answerable to their superior officers, took great liberties in their quarters; and, instead of protecting the country, they oppressed it. The king had brought over an army of seven thousand Danes, under the command of a very gallant prince, one of the dukes of Wirtemberg; but they were cruel friends, and thought they were masters; nor were the English troops much better. The Dutch were the least complained of: Ginkle, who had the chief command, looked strictly to them; but he did not think it convenient to put those of other nations under the same severe measures\*. But the pay, due for some months, being now sent over, the orders were changed; and the army was made subject to the civil government; yet it was understood that instructions were sent to the lords justices to be cautious in the exercise of their authority over them; so the country still suffered much by these forces.

The house of commons passed a vote to raise a million of money out of the forfeitures and confiscations in Ireland; and in order to that, they passed a bill of attainder of all those who had been engaged in the rebellion of Ireland, and appropriated the confiscations to the raising a fund for defraying the expense of the present war; only they left a power to the king to grant away a third part of those confiscated estates, to such as had served in the war; and to give such articles and capitulations to those who were in arms, as he should think fit. Upon this bill many petitions were offered, the creditors of some, and the heirs of others, who had continued faithful to the government, desired provisos for their security. The commons, seeing that there was no end of petitions, for such provisos, rejected them all; imitating in this too much the mock parliament, that king James held in Dublin; in which about 3,000 persons were attainted, without proof or process, only because some of them were gone over to England, and others were absconding, or informed against in Ireland. But when this bill was brought up to the lords, they thought they were in justice bound to hear all petitions: upon this, the bill was likely to be clogged with many provisos; and the matter must have held long: so the king, to stop this, sent a message to the commons; and he spoke to the same purpose, afterwards from the throne, to both houses. He promised he would give no grants of any confiscated estates, but would keep that matter entire, to the consideration of another session of parliament; by which the king intended only to assure them, that he would give none of those estates to his courtiers or officers; but he thought he was still at liberty to pass such acts of grace, or grant such articles to the Irish, as the state of his affairs should require.

There were no important debates in the house of lords. The earl of Torrington's business held them long; the form of his commitment was judged to be illegal; and the martial law, to which, by the statute, all who served in the fleet were subject, being lodged in the lord high admiral, it was doubted whether, the admiralty being now in commission, that power was lodged with the commissioners. The judges were of opinion that it was; yet, since the power of life and death was too sacred a thing to pass only by a construction of law, it was thought the safest course to pass an act, declaring, that the powers of a lord high admiral did vest in the commissioners. The secret enemies of the government, who intended to embroil matters, moved that the earl of Torrington should be impeached in parliament; proceedings in that way being always slow, incidents were also apt to fall in that might create disputes between the two houses, which did sometimes end in a rupture: but

\* This gallant and successful officer is truly designated by Mr. Noble, "a man of many titles." His names and honours were Godart de Reede, baron de Reede and Gerkel, lord Amoranger Middachiez, Liversall, Elst, Stewelt, Roenbergh, &c., knight of the royal order of the elephant, general of the cavalry of the United Provinces, grand commander of the Teutonic order, general of the dukedom of Guelder, and the county of Zutphen, and baron Aghrim, and earl of Athlone, in Ireland. He came into England with William the Third in 1688. For his gai-

lantry and conquests in Ireland, the house of commons voted him thanks, and even confirmed the grant of land given him by the king. This was the forfeited estate of William Dougan, earl of Limerick; but four years after the parliament voted this grant of more than 26,000 acres too extravagant. Disgusted with this treatment, he left England, entering the service of Holland, where he again greatly distinguished himself. He died in 1703.—Noble's Continuation of Grainger.



the king was apprehensive of that ; and, though he was much incensed against that lord, and had reason to believe that a council of war would treat him very favourably, yet he chose rather to let it go so than to disorder his affairs. The commissioners of the admiralty named a court to try him, who did it with so gross a partiality, that it reflected much on the justice of the nation ; so that, if it had not been for the great interest the king had in the States, it might have occasioned a breach of the alliance between them and us. He came off safe as to his person and estate, but much loaded in his reputation ; some charging him with want of courage, while others imputed his ill conduct to a haughty sullenness of temper, that made him, since orders were sent him, contrary to the advices he had given, to resolve indeed to obey them, and fight ; but in such a manner as should cast the blame on those who had sent him the orders, and give them cause to repent of it.

Another debate was moved in the house of lords (by those who intended to revive the old impeachment of the marquis of Caermarthen) whether impeachments continued from parliament to parliament, or whether they were not extinguished by an act of grace. Some ancient precedents were brought to favour this, by those who intended to keep them up ; but in all these, there had been an order of one parliament to continue them on to the next : so they did not come home to the present case ; and how doubtful soever it was, whether the king's pardon could be pleaded in bar to an impeachment, yet, since the king had sent an act of grace, which had passed in the first session of this parliament, it seemed very unreasonable to offer an impeachment against an act of parliament. All this discovered a design against that lord, who was believed to have the greatest credit both with the king and queen, and was again falling under an universal hatred. In a house of commons, every motion against a minister is apt to be well entertained ; some envy him, others are angry at him ; many hope to share in the spoils of him, or of his friends, that fall with him : and a love of change, and a wantonness of mind, makes the attacking a minister a diversion to the rest. The thing was well laid, and fourteen leading men had undertaken to manage the matter against him ; in which the earl of Shrewsbury had the chief hand, as he himself told me ; for he had a very bad opinion of the man, and thought his advices would, in conclusion, ruin the king and his affairs. But a discovery was at this time made, that was of great consequence ; and it was managed chiefly by his means, so that put an end to the designs against him for the present.

The session of parliament was drawing to a conclusion ; and the king was making haste over to a great congress of many princes, who were coming to meet him at the Hague. The Jacobites thought this opportunity was not to be lost ; they fancied it would be easy, in the king's absence, to bring a revolution about ; so they got the lord Preston to come up to London, and to undertake the journey to France, and to manage this negotiation. They thought no time was to be lost, and that no great force was to be brought over with king James ; but that a few resolute men, as a guard to his person, would serve the turn, now that there was so small a force left within the kingdom, and the nation was so incensed at a burthen of four millions in taxes. By this means, if he surprised us, and managed his coming over with such secrecy, that he should bring over with himself the first news of it, they believed this revolution would be more easy, and more sudden than the last. The men that laid this design were, the earl of Clarendon, the bishop of Ely (Dr. Turner), the lord Preston, and his brother Mr. Graham, and Penn, the famous quaker. Lord Preston resolved to go over, and to carry letters from those who had joined with him in the design, to king James and his queen. The bishop of Ely's letters were written in a very particular style : he undertook, both for his elder brother and the rest of the family, which was plainly meant of Sancroft, and the other deprived bishops. In his letter to king James's queen, he assured her of his, and all their zeal for the prince of Wales ; and that they would no more part with that, than with their hopes of Heaven. Ashton, a servant of that queen's, hired a vessel to carry them over ; but the owner of the vessel, being a man zealous for the government, discovered all he knew ; which was only, that he was to carry some persons over to France. The notice of this was carried to the marquis of Caermarthen ; and the matter was so ordered, that lord Preston, Ashton, and a young man (Elliot) were got aboard, and falling down the river, when the officer sent to take them came, on pretence to search, and

press for scamen; and drew the three passengers out of the hold, in which they were hid. Lord Preston left his letters behind him in the hold, together with king James's signet: Ashton took them up, on design to have thrown them into the sea, but they were taken from him.

Both they and their letters were brought to Whitehall. Lord Preston's mind sunk so visibly, that it was concluded he would not die, if confessing all he knew could save him. Ashton was more firm and sullen: Elliot knew nothing. There was among their papers one that contained the heads of a declaration, with assurances of pardon, and promises to preserve the protestant religion, and the laws: another paper contained short memorials, taken by lord Preston, in which many of the nobility were named. The most important of all was, a relation of a conference between some noblemen and gentlemen, Whigs and Tories; by which it appeared, that, upon a conversation on this subject, they all seemed convinced, that upon this occasion France would not study to conquer, but to oblige England; and that king James would be wholly governed by protestants, and follow the protestant and English interest. The prisoners were quickly brought to their trial; their design of going to France, and the treasonable papers found about them, were fully proved; some of them were written in lord Preston's, and some in Ashton's hand. They made but a poor defence; they said, a similitude of hands was not thought a good proof in Sidney's case; but this was now only a circumstance: in what hand soever the papers were written, the crime was always the same, since they were open, not sealed. So they knew the contents of them, and thus were carrying on a negotiation of high treason with the king's enemies: upon full evidence they were condemned.

Ashton would enter into no treaty with the court; but prepared himself to die. And he suffered with great decency and seriousness. He left a paper behind him, in which he owned his dependence on king James, and his fidelity to him; he also affirmed, that he was sure the prince of Wales was born of the queen: he denied that he knew the contents of the papers that were taken with him. This made some conclude that his paper was penned by some other person, and too hastily copied over by himself, without making due reflections on this part of it; for I compared this paper, which he gave the sheriff, and which was written in his own hand, with those found about him; and it was visible, both were written in the same hand.

Lord Preston went backward and forward; he had no mind to die, and yet was not willing to tell all he knew: he acted a weak part in all respects. When he was heated by the importunities of his friends, who were violently engaged against the government, and after he had dined well, he resolved he would die heroically; but by next morning that heat went off; and when he saw death in full view, his heart failed him. The scheme he carried over was so foolish, so ill concerted, and so few engaged in it, that those who knew the whole secret concluded, that if he had got safe to the court of France, the project would have been so despised, that he must have been suspected, as sent over to draw king James into a snare, and bring him into the king's hands. The earl of Clarendon was seized, and put in the Tower; but the bishop of Ely, Graham, and Penn, absconded. After some months, the king, in regard to the earl of Clarendon's relation to the queen, would proceed to no extremities against him, but gave him leave to live, confined to his house in the country\*.

The king had suffered the deprived bishops to continue, now above a year, at their sees; they all the while neglected the concerns of the church, doing nothing, but living privately in their palaces. I had, by the queen's order, moved both the earl of Rochester, and sir John Trevor, who had great credit with them, to try whether, in case an act could be obtained, to excuse them from taking the oaths, they would go on, and do their functions in ordinations, institutions, and confirmations; and assist at the public worship, as formerly: but they would give no answer; only they said, they would live quietly, that is, keep themselves close, till a proper time should encourage them to act more openly. So all the thoughts of this kind were, upon that, laid aside. One of the most considerable men of the party, Dr. Sherlock, upon king James's going out of Ireland, thought that this gave the

\* These particulars are completely verified by the "Diaries" of Mr. Evelyn and lord Clarendon.

present government a thorough settlement; and in that case, he thought it lawful to take the oaths; and upon that, not only took them himself, but publicly justified what he had done: upon which he was most severely libelled by those from whom he withdrew\*. The discovery of the bishop of Ely's correspondence, and engagement in the name of the rest, gave the king a great advantage in filling those vacant sees; which he resolved to do upon his return from the congress, to which he went over in January.

In his way he ran a very great hazard; when he got within the *Macse*, so that it was thought two hours' rowing would bring him to land, being weary of the sea, he went into an open boat with some of his lords: but by mists and storms, he was tossed up and down above sixteen hours, before he got safe to land. Yet neither he, nor any of those who were with him, were the worse for all this cold and wet weather. And, when the seamen seemed very apprehensive of their danger, the king said in a very intrepid manner, "What! are you afraid to die in my company?" He soon settled some points at which the States had stuck long; and they created the funds for that year. The electors of Bavaria and Brandenburg, the dukes of Zell and Wolfenbuttel, with the landgrave of Hesse, and a great many other German princes, came to this interview, and entered into consultations concerning the operations of the next campaign. The duke of Savoy's affairs were then very low; but the king took care of him, and furnished, as well as procured him such supplies, that his affairs had quickly a more promising face. Things were concerted among the princes themselves, and were kept so secret, that they did not trust them to their ministers; at least the king did not communicate them to the earl of Nottingham, as he protested solemnly to me, when he came back. The princes shewed to the king all the respects that any of their rank ever paid to any crowned head: and they lived together in such an easy freedom, that points of ceremony occasioned no disputes among them; though those are often, upon less solemn interviews, the subjects of much quarrelling, and interrupt more important debates.

During this congress, pope Alexander the Eighth, Ottoboni, died. He had succeeded pope Innocent, and sat in that chair almost a year and a half; he was a Venetian, and intended to enrich his family as much as he could. The French king renounced his pretensions to the franchises; and he, in return for that, promoted Fourbin and some others, recommended by that court, to be cardinals; which was much resented by the emperor. Yet he would not yield the point of the regale to the court of France; nor would he grant the bulls for those whom the king had named to the vacant bishoprics in France who had signed the formulary, passed in 1682, that declared the pope fallible, and subject to a general council. When pope Alexander felt himself near death, he passed a bull in due form, by which he confirmed all pope Innocent's bulls; and by this he put a new stop to any reconciliation with the court of France. This he did to render his name and family more acceptable to the Italians, and most particularly to his countrymen, who hated the French as much as they feared them. Upon his death, the conclave continued shut up for five months, before they could agree upon an election. The party of the zealots stood long firm to Barbarigo, who had the reputation of a saint, and seemed in all things to set cardinal Borromeo before him as a pattern: they at last were persuaded to consent to the choice of Pignatelli, a Neapolitan, who, while he was archbishop of Naples, had some disputes with the viceroy,

\* Dr. William Sherlock was a native of Southwark, where he was born about the year 1641. His education was conducted at Eton and Peter House, Cambridge, where he took his doctor's degree in 1680. At the revolution he at first refused to take the new oaths of allegiance, and exerted himself to induce others to be equally refractory. The government gave him time to consider, and his wife during this interval succeeded in persuading him to change his opinions. A bookseller soon after seeing the doctor handing his wife along St. Paul's church-yard, archly observed, "There goes Dr. Sherlock with his reasons for taking the oaths at his finger's ends." He defended his change of sentiments in a pamphlet entitled "The Cure of Resistance to the Supreme Powers." His controversial writings are of small estimation; but some practical works, especially his "Discourse on Provi-

dence," are excellent. He died in 1707. His son, afterwards bishop of London, "Sherlock-like," could not be convinced respecting certain tenets, until decided by the battle of Preston, as that of the Boyne had converted his father.

As Sherlock the elder, with *jure divino*  
Did not comply till the battle of Boyne;  
So Sherlock the younger still made it a question  
Which side he would take, till the battle of Preston.

So said the wits of the day; and the benchers of the Temple, in commending a loyal sermon of the junior Sherlock, preached the Sunday succeeding the battle of Preston, said, "it was a pity it had not been delivered at least the Sunday before."—Noble's Continuation of Grainger; Gen. Biog. Dictionary.



concerning the ecclesiastical immunities, which he asserted so highly, that he excommunicated some of the judges, who, as he thought, had invaded them. The Spaniards had seemed displeased at this; which recommended him so to the French, that they also concurred to his elevation. He assumed pope Innocent's name, and seemed resolved to follow his maxims and steps; for he did not seek to raise his family, of which the king told me a considerable instance: one of his nearest kindred was then in the Spanish service, in Flanders, and hastened to Rome upon his promotion; he received him kindly enough, but presently dismissed him, giving him no other present, if he said true, but some snuff. It is true, the Spaniards afterwards promoted him; but the pope took no notice of that.

To return to the Low Countries: the king of France resolved to break off the conferences at the Hague, by giving the alarm of an early campaign; Mons was besieged; and the king came before it in person. It was thereupon given up, as a lost place; for the French ministers had laid that down among their chief maxims, that their king was never to undertake any thing in his own person, but where he was sure of success. The king broke up the congress, and drew a great army very soon together; and, if the town had held out so long, as they might well have done, or if the governor of Flanders had performed what he undertook, of furnishing carriages to the army, the king would either have raised the siege, or forced the French to a battle. But some priests had been gained by the French, who laboured so effectually among the townsmen, who were almost as strong as the garrison, that they at last forced the governor to capitulate. Upon that, both armies went into quarters of refreshment; and the king came over again to England for a few weeks.

He gave all necessary orders for the campaign in Ireland, in which Ginkle had the chief command. Russel had the command of the fleet, which was soon ready, and well manned. The Dutch squadron came over in good time. The proportion of the quota, settled between England and the States, was, that we were to furnish five, and they three ships of equal rates and strength.

Affairs in Scotland were now brought to some temper; many of the lords, who had been concerned in the late plot, came up, and confessed and discovered all, and took out their pardon; they excused themselves, as apprehending that they were exposed to ruin; and that they dreaded the tyranny of presbytery, no less than they did popery; and they promised that, if the king would so balance matters, that the lord Melvill, and his party, should not have it in their power to ruin them and their friends, and in particular, that they should not turn out the ministers of the episcopal persuasion, who were yet in office, nor force presbyterians on them, they would engage in the king's interests faithfully and with zeal: they also undertook to quiet the Highlanders, who stood out still, and were robbing the country in parties; and they undertook to the king, that, if the episcopal clergy could be assured of his protection, they would all acknowledge and serve him. They did not desire that the king should make any step towards the changing the government, that was settled there; they only desired that episcopal ministers might continue to serve in those places that liked them best; and that no man should be brought into trouble for his opinion, as to the government of the church; and that such episcopal men as were willing to mix with the presbyterians in their judicatories, should be admitted, without any severe imposition in point of opinion.

This looked so fair, and agreed so well with the king's own sense of things, that he very easily hearkened to it; and I did believe that it was sincerely meant; so I promoted it with great zeal, though we afterwards came to see that all this was an artifice of the Jacobites to engage the king to disgust the presbyterians; and by losing them, or at least rendering them remiss in his service, they reckoned they would be soon masters of that kingdom. For the party resolved now to come in generally to take the oaths; but in order to that, they sent one to king James, to shew the necessity of it, and the service they intended him in it; and therefore they asked his leave to take them. That king's answer was more honest; he said he could not consent to that which he thought unlawful; but if any of them took the oaths on design to serve him, and continued to advance his interests, he promised it should never be remembered against them. Young Dalrymple was made conjunct secretary of state, with the lord Melvill; and he undertook to bring in most of the Jacobites to the king's ser-

vice ; but they entered, at the same time, into a close correspondence with St. Germain: I believed nothing of all this at that time, but went in cordially to serve many, who intended to betray us.

The truth was, the presbyterians, by their violence and other foolish practices, were rendering themselves both odious and contemptible: they had formed a general assembly, in the end of the former year, in which they did very much expose themselves by the weakness and peevishness of their conduct: little learning or prudence appeared among them; poor preaching and wretched haranguing; partialities to one another, and violence and injustice to those who differed from them, shewed themselves in all their meetings. And these did so much sink their reputation, that they were weaning the nation most effectually from all fondness to their government; but the falsehood of many, who, under a pretence of moderating matters, were really undermining the king's government, helped in the sequel to preserve the presbyterians, as much as their own conduct did now alienate the king from them.

The next thing the king did was, to fill the sees vacant by deprivation. He judged right that it was of great consequence, both to his service and to the interests of religion, to have Canterbury well filled; for the rest would turn upon that. By the choice he was to make, all the nation would see, whether he intended to go on with his first design of moderating matters, and healing our breaches, or if he would go into the passions and humours of a high party, that seemed to court him as abjectly as they inwardly hated him. Dr. Tillotson had been now well known to him for two years; his soft and prudent counsels, and his zeal for his service, had begotten, both in the king and queen, a high and just opinion of him. They had both, for above a year, pressed him to come into this post: and he had struggled against it with great earnestness: as he had no ambition, nor aspiring in his temper, so he foresaw what a scene of trouble and slander he must enter on, now in the decline of his age. The prejudices that the Jacobites would possess all people with, for his coming into the room of one, whom they called a confessor\*, and who began now to have the public compassion on his side, were well foreseen by him. He also apprehended the continuance of that heat and aversion, that a violent party had always expressed towards him, though he had not only avoided to provoke any of them, but had, upon all occasions, done the chief of them great services, as often as it was in his power. He had large principles, and was free from superstition; his zeal had been chiefly against atheism and popery; but he had never shewed much sharpness against the dissenters. He had lived in a good correspondence with many of them; he had brought several over to the church by the force of reason, and the softness of persuasion and good usage; but was a declared enemy to violence and severities on those heads. Among other prejudices against him, one related to myself: he and I had lived, for many years, in a close and strict friendship; he laid before the king all the ill effects, that, as he thought, the promoting him would have on his own service; but all this had served only to increase the king's esteem of him, and fix him in his purpose.

The bishop of Ely's letters to St. Germain, gave so fair an occasion of filling those sees, at this time, that the king resolved to lay hold on it; and Tillotson, with great uneasiness to himself, submitted to the king's command; and soon after, the see of York falling void, Dr. Sharp was promoted to it: so those two sees were filled with the two best preachers that had sat in them in our time: only Sharp did not know the world so well, and was not so steady as Tillotson was†. Dr. Patrick was advanced to Ely, Dr. Moore was made

\* Dr. Sancroft.

† Dr. John Sharp was born in 1644, at Bradford, in Yorkshire. His college education was at Christ's, Cambridge. Notwithstanding his talents, it is probable he would not have advanced so rapidly, but from two fortunate connections. He obtained the domestic chaplaincy, and tutorship of the four sons, of sir Heneage Finch, eventually lord chancellor; and his father, a dry-salter, was intimate with Mr. Joshua Tillotson, in the same line of business, uncle to the archbishop. This led to an introduction of the son of the first, to the latter's nephew, and they never after ceased to be intimate friends. Through

these interests he obtained, in succession the archdeaconry of Berkshire, a prebend stall of Norwich, the rectory of St. Giles-in-the-Fields, and the deanery of Norwich. In a former page has been noticed the displeasure he incurred during the reign of James the Second. At the revolution he was presented to the deanery of Canterbury, and was finally elevated to the see of York, as mentioned in the text above. He died in 1714. Dr. Sharp was devoted to scientific and literary pursuits. At college he was distinguished for his acquirements in chemistry, botany, and mathematics. During his retirement at Norwich, in James's reign, he amused himself with forming a collection of

bishop of Norwich, Dr. Cumberland was made bishop of Peterborough, Dr. Fowler was made bishop of Gloucester, Ironside was promoted to Hereford, Grove to Chichester, and Hall to Bristol \* ; as Hough, the president of Magdalen's, was the year before this, made bishop of Oxford. So that in two years' time the king had named fifteen bishops ; and they were generally looked on as the most learned, the wisest, and best men, that were in the church. It was visible that in all these nominations, and the filling the inferior dignities, that became void by their promotion, no ambition, nor court favour, had appeared ; men were not scrambling for preferment, nor using arts, or employing friends to set them forward ; on the contrary, men were sought for, and brought out of their retirements ; and most of them very much against their own inclinations : they were men both of moderate principles, and of calm tempers. This great promotion was such a discovery of the king and queen's

coins, chiefly British. Shakspeare was his favourite author, and with his writings he was thoroughly acquainted. He used to recommend young divines to read the scriptures, and then that great dramatist, observing that the Bible and Shakspeare made him archbishop of York.—*Biog. Britannica*. Oxford edition of this work.

\* Dr. John Moore was a native of Market Harborough, Leicestershire. He became a fellow of Clare Hall, Cambridge, was successively rector of various parishes, chaplain to lord chancellor Nottingham, and to king William and queen Mary. The bishopric of Norwich was given him, as stated above ; and, in 1707, he was translated to Ely. Attending Dr. Bentley's course, he was detained such a lengthened time in the cold hall of Ely-house, that he incurred an illness which eventually killed him, in 1714. Dr. Clarke, his domestic chaplain, has given him a very laudatory character in the preface to his works, which he collected and published. He was a true bibliomaniac, for his love of collecting old books was accompanied by one of its most rabid symptoms,—a proneness to go a step beyond the sin of coveting. The writer remembers to have seen a warning given in a letter to a librarian to be on the look out, " for the bishop of Ely was coming."—"Cave—adamus !" would have been an appropriate motto for him. George the First bought his library, consisting of 28,965 printed volumes, and 1790 MSS., and gave it to the Cambridge university library. Some disturbances happening at the same time in Oxford, a troop of horse was despatched thither by the ministry, which occasioned the following excellent epigram, by Dr. Trapp, or Dr. Warton :—

The king observing, with judicious eyes,  
The state of both his universities,  
To one he sends a regiment ; For why ?  
That *learned* body wanted *loyalty*.  
To th' other books he gave, as well discerning  
How much that *loyal* body wanted *learning*.

To this sir William Browne, the physician, wittily replied :—

The king to Oxford sent his troop of horse :  
For tories own no *argument* but *force*.  
With equal care to Cambridge books he sent :  
For whigs allow no *force*, but *argument*.

(Bentham's Hist. of Ely ; Clarke's Preface as quoted ; Noble's Cont. of Grainger.)

Dr. Richard Cumberland, a native of London, and educated at St. Paul's school, and Magdalen College, Cambridge, was quietly pursuing his antiquarian studies, and his duties as a country priest, when he was summoned, without any application on his own part, to fill the see of Peterborough. Never was there a more laudable, more dignified character than his ; for Mr. Noble does not exaggerate when, after describing his published works, his exertions as a clergyman, and his unostentatious, though munifi-

cent charities, he adds " languages, divinity, history, physic, mathematics, and indeed every branch of learning and science were understood by him. He might, indeed, be called the patriarch of splendid abilities ; abilities, guarded by religion and integrity, and adorned with the choicest flowers of eloquence." He died in 1718, aged 86, and lies under a tomb he had erected in his own cathedral. Indefatigable in all his duties and pursuits, even at the last period of his life, his friends recommended quiet and relaxation, or that he would wear himself out ; to which he replied, " I had better *wear* out, than *rust* out." His memoirs are contained in the preface to one of his works, " Sanchoniatho's Phœnician History," which are ably epitomised in the " *Biographia Britannica*."

Dr. Edward Fowler, a native of Westerleigh, Gloucestershire, and educated at Oxford, though he graduated at Cambridge, was an exemplary, mild-tempered, tolerant man ; this, which obtained for him a place among those designated Latitudinarians, and his strenuous opposition to papacy, obtained for him the above preferment. He died in 1714, aged eighty-two.—Wood's *Athenæ Oxon.* ; *Biog. Britan.*

Dr. Gilbert Ironside was son of the bishop of Bristol, of the same name. He was born at Winterborne Stepleton, in Dorsetshire, matriculated, and graduated at Wadham college, Oxford, was nominated bishop of Bristol in 1689, and accepted this see under a promise that he should be translated to a better. " Being then about sixty years of age, he took to him a fair widow to be his wife ;" and was, on the death of Dr. Herbert Croft, translated to Hereford, as mentioned above. He seems to have died in 1712, as Dr. Bisse was translated to the see of Hereford in that year.—Wood's *Athenæ Oxon.* ; Noble's Cont. of Grainger, ii. 100.

Of Dr. Robert Grove, little is known to the editor. He was a fellow of St. John's, Cambridge ; chaplain to Dr. Henchman ; lecturer and rector of St. Mary Axe. In 1681, he obtained his doctor's degree. In 1688 was rector of St. Mary's Undershaft, and present at the signing the petition to king James by the seven bishops. He probably died in 1724, as in that year Dr. Waddington was consecrated bishop of Chichester.—Wood's *Athenæ Oxon.* ; Clarendon Correspondence ; Noble's Cont. of Grainger.

Dr. John, or Joseph (for authorities differ) Hall was the son of a vicar of Bromsgrove, in Worcestershire. He was under the tuition of his uncle, Edmund Hall, at Pembroke college, Oxford. Of this college he became the master in 1664, and retained it forty-five years ; for when consecrated bishop of Bristol, he was allowed to hold his mastership and the rectory of St. Aldgates, adjoining his college, *in commendam*. He may be said to have spent his whole time in his college, dying there in 1709, and though estimable as a scholar and a divine, yet certainly not sufficiently attentive to his diocese.—Wood's *Athenæ Oxon.* ; Noble's Cont. of Grainger.



designs, with relation to the church, that it served much to remove the jealousies that some other steps the king had made were beginning to raise in the whigs, and very much softened the ill humour that was spread among them.

As soon as this was over, the king went back to command his army in Flanders. Both armies were now making haste to take the field. But the French were quicker than the confederates had yet learned to be. Prince Waldeck had not got above eighteen thousand men together, when Luxembourg, with an army of forty thousand men, was marching to have surprised Brussels: and at the same time Boufflers, with another army, came up to Liege. Waldeck posted his army so well, that Luxembourg, believing it stronger than indeed it was, did not attempt to break through, in which it was believed he might have succeeded. The king hastened the rest of the troops and came himself to the army in good time, not only to cover Brussels, but to send a detachment to the relief of Liege, which had been bombarded for two days. A body of Germans, as well as that which the king sent to them, came in good time to support those of Liege, who were beginning to think of capitulating. So Boufflers drew off; and the French kept themselves so close in their posts all the rest of the campaign, that though the king made many motions, to try if it was possible to bring them to a battle, yet he could not do it. Signal preservations of his person did again show that he had a watchful Providence still guarding him. Once he had stood under a tree for some time, which the enemy observing, they levelled a cannon so exactly, that the tree was shot down two minutes after the king was gone from the place. There was one that belonged to the train of artillery who was corrupted to set fire to the magazine of powder; and he fired the matches of three bombs: two of these blew up without doing any mischief, though there were twenty-four more bombs in the same waggon on which they lay, together with a barrel of powder: the third bomb was found with the match fired, before it had its effect. If this wicked practice had succeeded, the confusion that was in all reason to be expected upon such an accident, while the enemy was not above a league from them, drawn up and looking for the success of it, must have had terrible effects. It cannot be easily imagined how much mischief might have followed upon it, in the mere destruction of so many as would have perished immediately, if the whole magazine had taken fire, as well as in the panic fear with which the rest would have been struck upon so terrible an accident; by the surprise of it, the French might have had an opportunity to have cut off the whole army. This may well be reckoned one of the miracles of Providence, that so little harm was done, when so much was intended and so near being done. The two armies lay along between the Sambre and the Maese; but no action followed. When the time came of going into quarters, the king left the armies in prince Waldeck's hands, who was observed not to march off with that caution that might have been expected from so old a captain: Luxembourg upon that drew out his horse, with the king's household, designing to cut off his rear; and did, upon the first surprise, put them into some disorder; but they made so good a stand, that, after a very hot action, the French marched off, and lost more men on their side than we did. Auverquerque commanded the body that did this service: and with it the campaign ended in Flanders.

Matters went on at sea with the same caution. Dunkirk was for some time blocked up by a squadron of ours. The great fleet went to find out the French; but they had orders to avoid an engagement: and though for the space of two months Russel did all he could to come up to them, yet they still kept at a distance, and sailed off in the night: so that though he was sometimes in view of them, yet he lost it next day. The trading part of the nation was very apprehensive of the danger the Smyrna fleet might be in, in which the Dutch and English effects together were valued at four millions; for though they had a great convoy, yet the French fleet stood out to intercept them; but they got safe into Kinsale. The season went over without any action; and Russel, at the end of it, came into Plymouth in a storm: which was much censured, for that road is not safe, and two considerable ships were lost upon the occasion. Great factions were among the flag officers; and no other service was done by this great equipment, but that our trade was maintained.

But while we had no success, either in Flanders or at sea, we were more happy in Ire-

land, even beyond expectation. The campaign was opened with the taking of Baltimore, on which the Irish had wrought much, that Athlone might be covered by it. We took it in one day, and the garrison had only ammunition for a day more. St. Ruth, one of the most violent of all the persecutors of the protestants in France, was sent over with two hundred officers to command the Irish army. This first action reflected much on his conduct, who left a thousand men with so slender a provision of ammunition, that they were all made prisoners of war. From thence Ginkle advanced to Athlone, where St. Ruth was posted on the other side of the Shannon, with an army in number equal to his: the river was deep, but fordable in several places: the castle was soon turned to a ruin by the cannon: but the passing the river in the face of an enemy was no easy thing, the ford being so narrow that they could not pass above twenty in front: parties were sent out to try other fords, which probably made the enemy imagine that they never intended to pass the river just under the town, where the ford was both deep and narrow. Talmash, a general officer, moved, that two battalions might have guineas apiece to encourage them; and he offered to march over at the head of them: which was presently executed by Mackay with so much resolution, that many ancient officers said it was the most gallant action they had ever seen. They passed the river, and went through the breaches into the town, with the loss only of fifty men, having killed above a thousand of the enemy; and yet they spared all that asked quarter. St. Ruth did not upon this occasion act suitably to the reputation he had formerly acquired; he retired to Aghrim, where he posted himself to great advantage, and was much superior to Ginkle in number; for he had abandoned many small garrisons to increase his army, which was now twenty-eight thousand strong; whereas Ginkle had not above twenty thousand; so that the attacking him was no advisable thing, if the courage of the English, and the cowardice of the Irish, had not made a difference so considerable, as neither numbers nor posts could balance.

St. Ruth had indeed taken the most effectual way possible to infuse courage into the Irish: he had sent their priests about among them, to animate them by all the methods they could think of; and, as the most powerful of all others, they made them swear on the sacrament that they would never forsake their colours. This had a great effect on them; for as when Ginkle fell on them they had a great bog before them, and the grounds on both sides were very favourable to them: with those advantages they maintained their ground much longer than they had been accustomed to do. They disputed the matter so obstinately, that for about two hours the action was very hot, and every battalion and squadron on both sides had a share in it. But nature will be always too strong for art; the Irish in conclusion trusted more to their heels than to their hands; the foot threw down their arms and ran away. St. Ruth and many more officers were killed, and about eight thousand soldiers and all their cannon and baggage was taken. So that it was a total defeat; only the night favoured a body of horse that got off. From thence Ginkle advanced to Galway, which capitulated; so that now Limerick was the only place that stood out. A squadron of ships was sent to shut up the river. In the meanwhile, the lords justices issued out a new proclamation, with an offer of life and estate to such as within a fortnight should come under the king's protection.

Ginkle pursued his advantages; and, having reduced all Connaught, he came and sat down before Limerick, and bombarded it; but that had no great effect; and though most of the houses were beat down, yet as long as the Connaught side was open, fresh men and provisions were still brought into the place. When the men of war were come up near the town, Ginkle sent over a part of his army to the Connaught side, who fell upon some bodies of the Irish that lay there and broke them, and pursued them so close as they retired to Limerick, that the French governor, D'Usson, fearing that the English would have come in with them, drew up the bridge, so that many of them were killed and drowned. This contributed very much towards heightening the prejudices that the Irish had against the French. The latter were so inconsiderable, that if Sarsfield and some of the Irish had not joined with them, they could not have made their party good. The earl of Tyrconnel had, with a particular view, studied to divert the French from sending over soldiers into Ireland; for he designed, in case of new misfortunes, to treat with the king, and to preserve himself and

his friends; and now he began to dispose the Irish to think of treating, since they saw that otherwise their ruin was inevitable. But as soon as this was suspected, all the military men, who resolved to give themselves up entirely to the French interest, combined against him, and blasted him as a feeble and false man who was not to be trusted. This was carried so far that, to avoid affronts, he was advised to leave the army; and he stayed all this summer at Limerick, where he died of grief, as was believed; but, before he died, he advised all that came to him not to let things go to extremities, but to accept of such terms as could be got: and his words seemed to weigh more after his death than in his lifetime; for the Irish began generally to say, that they must take care of themselves, and not be made sacrifices to serve the ends of the French\*. This was much heightened by the slaughter of the Irish whom the French governor had shut out and left to perish. They wanted no provisions in Limerick. And a squadron of French ships stood over to that coast, which was much stronger than ours that had sailed up to the town. So it was to be feared that they might come into the river to destroy our ships.

To hinder that, another squadron of English men of war was ordered thither. Yet the French did not think fit to venture their ships within the Shannon, where they had no places of shelter; the misunderstanding that daily grew between the Irish and the French was great; and all appearance of relief from France failing, made them resolve to capitulate. This was very welcome to Ginkle and his army, who began to be in great wants; for that country was quite wasted, having been the seat of war for three years; and all their draught horses were so wearied out, that their camp was often ill supplied.

When they came to capitulate, the Irish insisted on very high demands; which were set on by the French, who hoped they would be rejected: but the king had given Ginkle secret directions that he should grant all the demands they could make, that would put an end to that war: so every thing was granted, to the great disappointment of the French, and the no small grief of some of the English, who hoped this war would have ended in the total ruin of the Irish interest. During the treaty, a saying of Sarsfield's deserves to be remembered, for it was much talked of all Europe over. He asked some of the English officers if they had not come to a better opinion of the Irish, by their behaviour during this war; and whereas they said it was much the same that it had always been, Sarsfield answered, as low as we now are, change but kings with us, and we will fight it over again with you. Those of Limerick treated not only for themselves, but for all the rest of their countrymen that were yet in arms. They were all indemnified and restored to all that they had enjoyed in king Charles's time. They were also admitted to all the privileges of subjects, upon their taking the oaths of allegiance to their majesties, without being bound to take the oath of supremacy. Not only the French, but as many of the Irish as had a mind to go over to France, had free liberty and a safe transportation. And upon that about twelve thousand of them went over.

And thus ended the war of Ireland: and with that our civil war came to a final end. The articles of capitulation were punctually executed; and some doubts that arose out of some ambiguous words, were explained in favour of the Irish. So earnestly desirous was the king to have all matters quieted at home, that he might direct his whole force against the enemy abroad. The English in Ireland, though none could suffer more by the continuance of the war than they did, yet were uneasy when they saw that the Irish had obtained such good conditions; some of the more violent men among them, who were much exasperated with the wrongs that had been done them, began to call in question the legality of some of the articles: but the parliament of England did not think fit to enter upon that discussion; nor made they any motions towards the violating the capitulation. Ginkle came over full of honour after so glorious a campaign, and was made earl of Athlone, and had noble rewards for the great service he had done; though, without detracting from him, a large share of all that was done was due to some of the general officers, in particular to Rouvigny, made upon this earl of Galway, to Mackay, and Tallmash. Old Rouvigny being dead, his son offered his service to the king, who unwillingly accepted of it; because he knew that an estate which

\* For more particulars concerning the public life of Richard Talbot, earl of Tyrconnel, see the *Clarendon Correspondence*. Grainger mentions him.



his father had in France, and of which he had still the income, would be immediately confiscated ; but he had no regard to that, and heartily engaged in the king's service, and has been ever since employed in many eminent posts : in all which he has acquitted himself with that great reputation, both for capacity, integrity, courage, and application, as well as success in most of his undertakings, that he is justly reckoned among the great men of the age : and to crown all, he is a man of eminent virtues, great piety, and zeal for religion.

The emperor's affairs in Hungary went on successfully this year, under the command of prince Lewis of Baden ; though he committed an error that was likely to have proved fatal to him : his stores lay near him in great boats on the Danube, but upon some design he made a motion off from that river ; of which the grand vizier took the advantage, and got into his camp between him and his stores ; so that he must either starve, or break through to come at his provisions. The Turks had not time to fortify themselves in their new camp, so he attacked them with such fury, that they were quite routed, and lost camp and cannon and a great part of their army, the grand vizier himself being killed. If the court of Vienna had really desired a peace, they might have had it upon this victory on very easy terms ; but they resolved they would be masters of all Transylvania ; and, in order to that, they undertook the siege of Great Waradin, which they were forced to turn to a blockade ; so that it fell not into their hands till the spring following. The emperor was led on by the prophecies, that assured him of constant conquests, and that he should in conclusion arrive at Constantinople itself : so that the practices of those whom the French had gained about him, had but too much matter to work on in himself.

The news of the total reduction of Ireland confirmed him in his resolutions of carrying on the war in Hungary. It was reckoned that England, being now disengaged at home, would with the rest of the protestant allies be able to carry on the war with France. And the two chief passions in the emperor's mind, being his hatred of heresy, and his hatred of France, it was said, that those about him, who served the interests of that court, persuaded him that he was to let the war go on between France, and those he esteemed heretics ; since he would be a gainer, which side soever should lose ; either France would be humbled, or the heretics be exhausted ; while he should extend his dominions and conquer infidels. The king had a sort of regard and submission to the emperor, that he had to no other prince whatsoever ; so that he did not press him, as many desired he should, to accept of a peace with the Turks, that so he might turn his whole force against France.

Germany was now more entirely united in one common interest than ever. The third party that the French had formed to obstruct the war, were now gone off from those measures, and engaged in the general interest of the empire : the two northern kings had some satisfaction given them in point of trade, that so they might maintain their neutrality : and they were favourable to the allies, though not engaged with them. The king of Sweden, whom the French were pressing to offer his mediation for a peace, wrote to the duke of Hanover, assuring him he would never hearken to that proposition, till he had full assurances from the French, that they would own the present government of England.

That duke, who had been long in a French management, did now break off all commerce with that court, and entered into a treaty both with the emperor and with the king. He promised great supplies against France and the Turk, if he might be made an elector of the empire : in which the king concurred to press the matter so earnestly at the court of Vienna, that they agreed to it, in case he could gain the consent of the other electors ; which the emperor's ministers resolved to oppose, underhand, all they could. He quickly gained the consent of the greater number of the electors ; yet new objections were still made. It was said, that if this was granted, another electorate in a popish family ought also to be created, to balance the advantage that this gave the Lutherans ; and they moved that Austria should be made an electorate. But this was so much opposed, since it gave the emperor two votes in the electoral college, that it was let fall. In conclusion, after a year's negotiation, and a great opposition, both by popish and protestant princes, (some of the latter considering more their jealousies of the house of Hanover than the interest of their religion,) the investiture was given, with the title of elector of Brunswick and great marshal of the empire. The

French opposed this with all the artifices they could set at work. The matter lay long in an unsettled state: nor was he now admitted into the college; it being said that the unanimous consent of all the electors must be first had.

The affairs of Savoy did not go on so prosperously as was hoped for: Caraffa, that commanded the imperial army, was more intent on raising contributions than on carrying on the war: he crossed every good motion that was made: Montmelian was lost, which was chiefly imputed to Caraffa: the young duke of Schomberg, sent thither to command those troops that the king paid, undertook to relieve the place, and was assured that many protestants in Dauphiny would come and join him. But Caraffa, and indeed the court of Turin, seemed to be more afraid of the strength of heresy than of the power of France; and chose to let that important place fall into their hands, rather than suffer it to be relieved by those they did not like. When the duke of Savoy's army went into quarters, Caraffa obliged the neighbouring princes and the state of Genoa to contribute to the subsistence of the imperial army, threatening them otherwise with winter quarters; so that how ill soever he managed the duke of Savoy's concerns, he took care of his own. He was recalled upon the complaints made against him on all hands, and Caprara was sent to command in his room.

The greatest danger lay in Flanders, where the feebleness of the Spanish government did so exhaust and weaken the whole country, that all the strength of the confederate armies was scarce able to defend it: the Spaniards had offered to deliver it up to the king, either as he was king of England, or as he was stadtholder of the United Provinces. He knew the bigotry of the people so well, that he was convinced it was not possible to get them to submit to a protestant government: but he proposed the elector of Bavaria, who seemed to have much heat, and an ambition of signalling himself in that country, which was then the chief scene of war: and he could support that government by the troops and treasure that he might draw out of his electorate: besides, if he governed that country well, and acquired a fame in arms, that might give him a prospect of succeeding to the crown of Spain in the right of his electoress, who, if the house of Bourbon was set aside, was next in that succession. The Spaniards agreed to this proposal; but they would not make the first offer of it to that elector, nor would he ask it; and it stuck for some time at this: but the court of Vienna adjusted the matter by making the proposition, which the elector accepted: and that put a new life into those oppressed and miserable provinces.

This was the general state of affairs when a new session of parliament was opened at Westminster, and then it appeared that a party was avowedly formed against the government. They durst not own that before, while the war of Ireland continued. But now, since that was at an end, they began to infuse into all people that there was no need of keeping up a great land army, and that we ought only to assist our allies with some auxiliary troops, and increase our force at sea. Many that understood not the state of foreign affairs were drawn into this conceit, not considering that, if Flanders was lost, Holland must submit and take the best terms they could get. And the conjunction of those two great powers at sea, must presently ruin our trade, and in a little time subdue us entirely. But it was not easy to bring all people to apprehend this aright; and those who had ill intentions would not be beaten out of it, but covered worse designs with this pretence: and this was still kept up as a prejudice against the king and his government, that he loved to have a great army about him; and that when they were once modelled, he would never part with them, but govern in an arbitrary way as soon as he had prepared his soldiers to serve his ends.

Another prejudice had more colour and as bad effects. The king was thought to love the Dutch more than the English, to trust more to them, and to admit them to more freedom with him. He gave too much occasion to a general disgust, which was spread both among the English officers and the nobility: he took little pains to gain the affections of the nation, nor did he constrain himself enough to render his government more acceptable: he was shut up all the day long; and his silence, when he admitted any to an audience, distasted them as much as if they had been denied it. The earl of Marlborough thought that the great services he had done, were not acknowledged, nor rewarded, as they well deserved,

and began to speak like a man discontented. And the strain of all the nation almost was, that the English were overlooked, and the Dutch were the only persons favoured or trusted. This was national: and the English being too apt to despise other nations, and bring of more lively tempers than the Dutch, grew to express a contempt and an aversion for them, that went almost to a mutiny. It is true the Dutch behaved themselves so well and so regularly in their quarters, and paid for everything so punctually, whereas the English were apt to be rude and exacting; especially those who were all this winter coming over from Ireland, who had been so long in an enemy's country that they were not easily brought into order; so that the common people were generally better pleased with the Dutch soldiers than with their own countrymen, but it was not the same as to the officers. These seeds of discontent were carefully managed by the enemies of the government; and by those means matters went on heavily in the house of commons. The king was also believed to be so tender in every point that seemed to relate to his prerogative, that he could not well bear anything that was a diminution of it: and he was said to have taken a dislike and mistrust of all those whose notions leaned to public liberty, though those were the persons that were the firmest to him, and the most zealous for him. The men whose notions of the prerogative were the highest were suspected to be Jacobites: yet it was observed that many of these were much courted, and put into employments, in which they showed so little affection to the government, and so close a correspondence with its professed enemies, that it was generally believed they intended to betray it. The blame of employing these men was cast on the earl of Nottingham, who, as the Whigs said, infused into the king jealousies of his best friends, and inclined him to court some of his bitterest enemies.

The taking off parliament men, who complained of grievances, by places and pensions, was believed to be now very generally practised. Seymour, who had in a very injurious manner not only opposed everything, but had reflected on the king's title and conduct, was this winter brought into the treasury and the cabinet council: yet, though a great opposition was made and many delays contrived, all the money that was asked was at length given. Among the bills that were offered to the king at the end of the session, one was to secure the judges' salaries, and to put it out of the king's power to stop them. The judges had their commission during their good behaviour; yet their salaries were not so secured to them, but that these were at the king's pleasure. But the king put a stop to this, and refused to pass the bill; for it was represented to him, by some of the judges themselves, that it was not fit they should be out of all dependence on the court; though it did not appear that there was any hurt in making judges in all respects free and independent. A parliament was summoned to meet in Ireland, to annul all that had passed in king James's parliament; to confirm anew the act of settlement; and to do all other things that the broken state of that impoverished island required; and to grant such supplies as they could raise, and as the state of their affairs would permit.

Affairs in Scotland were put in another method: lord Tweeddale was made lord chancellor, and not long after a marquis in that kingdom: lord Melvill was put in a less important post, and most of his creatures were laid aside: but several of those who had been in Montgomery's plot were brought into the council and ministry. Johnston, who had been sent envoy to the elector of Brandenburg, was called home and made secretary of state for that kingdom. It began soon to appear in Scotland how ill the king was advised, when he brought in some of the plotters into the chief posts of that government: as this disgusted the presbyterians, so it was very visible that those pretended converts came into his service, only to have it in their power to deliver up that kingdom to king James. They scarcely disguised their designs; so that the trusting such men amazed all people. The presbyterians had very much offended the king, and their fury was instrumental in raising great jealousies of him in England: he well foresaw the ill effects this was likely to have, and therefore he recommended to a general assembly, that met this winter, to receive the episcopal clergy, to concur with them in the government of the church, upon their desiring to be admitted: and in case the assembly could not be brought to consent to this, the king ordered it to be dissolved, without naming any other time or place of meeting. It was not likely that there could be any agreement, where both parties were so much inflamed one against another:



and those who had the greatest credit with both, studied rather to exasperate than to soften them. The episcopal party carried it high : they gave it out that the king was now theirs, and that they were willing to come to a concurrence with presbytery, on design to bring all about to episcopacy in a little time. The presbyterians, who at all times were stiff and peevish, were more than ordinarily so at this time : they were jealous of the king ; their friends were now disgraced, and their bitterest enemies were coming into favour : so they were surly, and would abate in no point of their government : and upon that the assembly was dissolved. But they pretended that by law they had a right to an annual meeting, from which nothing could cut them off ; for they said, according to a distinction much used among them, that the king's power of calling synods and assemblies was cumulative, and not privative : that is, he might call them if he would, and appoint time and place ; but that, if he did not call them, they might meet by an inherent right that the church had, which was confirmed by law : therefore they adjourned themselves. This was represented to the king as a high strain of insolence that invaded the rights of the crown, of which he was become very sensible. Most of those who came now into his service, made it their business to incense him against the presbyterians, in which he was so far engaged, that it did alienate that party much from him.

There was at this time, a very barbarous massacre committed in Scotland, which showed both the cruelty and the treachery of some of those who had unhappily insinuated themselves into the king's confidence. The earl of Bredalbane formed a scheme of quieting all the Highlanders, if the king would give twelve or fifteen thousand pounds for doing it, which was remitted down from England : and this was to be divided among the heads of the tribes or clans of the highlanders. He employed his emissaries among them, and told them the best service they could do king James, was to lie quiet, and reserve themselves to a better time : and if they would take the oaths, the king would be contented with that, and they were to have a share of this sum that was sent down to buy their quiet. But this came to nothing ; their demands rose high ; they knew this lord had money to distribute among them ; they believed he intended to keep the best part of it to himself ; so they asked more than he could give. Among the most clamorous and obstinate of these were the Macdonalds of Glencoe, who were believed guilty of much robbery and many murders, and so had gained too much by their pilfering war to be easily brought to give it over. The head of that valley had so particularly provoked lord Bredalbane, that as his scheme was quite defeated by the opposition that he raised, so he designed a severe revenge. The king had, by a proclamation, offered an indemnity to all the Highlanders that had been in arms against him, upon their coming in, by a prefixed day, to take the oaths : the day had been twice or thrice prolonged, and it was at last carried to the end of the year 1691 ; with a positive threatening of proceeding to military execution against such as should not come into his obedience by the last day of December.

All were so terrified that they came in ; and even that Macdonald went to the governor of Fort William, on the last of December, and offered to take the oaths ; but he, being only a military man, could not, or would not, tender them, and Macdonald was forced to seek for some of the legal magistrates to tender them to him. The snows were then fallen, so four or five days passed before he could come to a magistrate : he took the oaths in his presence, on the fourth or fifth of January, when, by the strictness of law, he could claim no benefit by it. The matter was signified to the council, and the person had a reprimand for giving him the oaths when the day was past.

This was kept up from the king : and the earl of Bredalbane came to court to give an account of his diligence, and to bring back the money, since he could not do the service for which he had it. He informed against this Macdonald, as the chief person who had defeated that good design : and that he might both gratify his own revenge, and render the king odious to all the Highlanders, he proposed that orders should be sent for a military execution on those of Glencoe. An instruction was drawn by the secretary of state, lord Stair, to be both signed and countersigned by the king (that so he might bear no part of the blame, but that it might lie wholly on the king), that such as had not taken the oaths by the time limited should be shut out of the benefit of the indemnity, and be received only upon mercy.

But when it was found that this would not authorise what was intended, a second order was got to be signed and countersigned, that if the Glencoe men could be separated from the rest of the Highlanders, some examples might be made of them, in order to strike terror into the rest. The king signed this without any inquiry about it; for he was too apt to sign papers in a hurry, without examining the importance of them. This was one effect of his slowness in dispatching business; for, as he was apt to suffer things to run on till there was a great heap of papers laid before him, so then he signed them a little too precipitately. But all this while the king knew nothing of Macdonald's offering to take the oaths within the time, nor of his having taken them, soon after it was passed, when he came to a proper magistrate. As these orders were sent down, the secretary of state wrote many private letters to Levingston, who commanded in Scotland, giving him a strict charge and particular directions for the execution of them: and he ordered the passes in the valley to be kept, describing them so minutely, that the orders were certainly drawn by one who knew the country well. He gave also a positive direction that no prisoners should be taken, that so the execution might be as terrible as was possible. He pressed this upon Levingston with strains of vehemence that looked as if there was something more than ordinary in it: he indeed grounded it on his zeal for the king's service, adding, that such rebels and murderers should be made examples of.

In February a company was sent to Glencoe, who were kindly received and quartered over the valley; the inhabitants thinking themselves safe, and looking for no hostilities. After they had staid a week among them, they took their time in the night and killed about six-and-thirty of them, the rest taking the alarm and escaping. This raised a mighty outcry, and was published by the French in their gazettes, and by the jacobites in their libels, to cast a reproach on the king's government as cruel and barbarous; though in all other instances it had appeared that his own inclinations were gentle and mild rather to an excess. The king sent orders to enquire into the matter; but when the letters written upon this business were all examined, which I myself read, it appeared that so many were involved in the matter, that the king's gentleness prevailed on him to a fault; and he contented himself with dismissing only the master of Stair from his service. The Highlanders were so inflamed with this, that they were put in as forward a disposition as the jacobites could wish for to have rebelled upon the first favourable opportunity: and indeed the not punishing this with a due rigour was the greatest blot in this whole reign, and had a very great effect in alienating that nation from the king and his government\*.

An incident happened near the end of this session that had very ill effects; which I unwillingly mention, because it cannot be told without some reflections on the memory of the queen, whom I always honoured beyond all the persons I had ever known. The earl of Nottingham came to the earl of Marlborough with a message from the king, telling him that he had no more use for his services, and therefore he demanded all his commissions. What drew so sudden and so hard a message was not known; for he had been with the king that morning, and had parted with him in the ordinary manner. It seemed some letter was intercepted, which gave suspicion: it is certain that he thought he was too little considered, and that he had upon many occasions censured the king's conduct, and reflected on the Dutch. But the original cause of his disgrace arose from another consideration: the princess

\* A very interesting anecdote, connected with this cruel massacre, is told by colonel Stewart, in his "Sketches of the Highlands." He relates that the belief that punishment for cruelty, oppression, or misconduct, in an individual, descended as a curse on his children, to the third and fourth generation, was not confined to the common people—all ranks were influenced by this belief. The late colonel Campbell, of Glenlyon, retained this creed during a thirty years' intercourse with the world, as an officer in the 42nd regiment. He was grandson of the lord of Glenlyon, who commanded the military at the massacre of Glencoe. In the year 1771, he was ordered to superintend the execution of a soldier, condemned to death by the sentence of a court martial. A reprieve, in the mean time, arrived, with an order that the ceremony

should proceed till the very moment of execution, when it was directed to supersede the fatal order to fire. The colonel gave strict orders to the men not to fire till he pulled a white handkerchief from his pocket as the signal. When all was prepared, and the clergyman had performed the last sacred rites of religion, the colonel pulled the reprieve from his pocket—but with it the white handkerchief; at the sight of which twenty bullets pierced the heart of the reprieved victim! The paper dropped from the colonel's hand, and, striking his forehead, he exclaimed in unutterable agony, "The curse of God and of Glencoe is here." He instantly retired from the service, and wept over this unfortunate accident till the day of his death.

thought herself too much neglected by the king, whose cold way towards her was soon observed : after the king was on the throne, no propositions were made to her of a settlement, nor any advances of money. So she, thinking she was to be kept in a necessitous dependence on the court, got some to move in the house of commons, in the year 1690, when they were in the debate concerning the revenue, that she should have assignments suitable to her dignity. This both king and queen took amiss from her : the queen complained more particularly that she was then ill, after the lying-in of the duke of Gloucester at Hampton Court, and that she herself was treating her and the young child with the tenderness of a mother, and that yet such a motion was made before she had tried, in a private way, what the king intended to assign her. The princess, on the other hand, said she knew the queen was a good wife, submissive and obedient to every thing that the king desired ; so she thought the best way was to have a settlement by act of parliament. On the other hand, the custom had always been that the royal family (a prince of Wales not excepted) was kept in a dependence on the king, and had no allowance but from his mere favour and kindness ; yet in this case, in which the princess was put out of the succession during the king's life, it seemed reasonable that somewhat more than ordinary should be done in consideration of that. The act passed, allowing her a settlement of fifty thousand pounds. But upon this a coldness followed, between not only the king, but even the queen, and the princess. And the blame of this motion was cast on the countess of Marlborough, as most in favour with the princess : and this had contributed much to alienate the king from her husband, and had disposed him to receive ill impressions of him.

Upon his disgrace, his lady was forbidden the court. The princess would not submit to this ; she thought she ought to be allowed to keep what persons she pleased about herself. And when the queen insisted on the thing, she retired from the court. There were, no doubt, ill offices done on all hands, as there were some that pressed the princess to submit to the queen, as well as others who pressed the queen to pass it over, but without effect : both had engaged themselves before they had well reflected on the consequences of such a breach : and the matter went so far, that the queen ordered that no public honours should be shown the princess, besides many other lesser matters, which I unwillingly reflect on, because I was much troubled to see the queen carry such a matter so far : and the breach continued to the end of her life. The enemies of the government tried what could be made of this to create distractions among us : but the princess gave no encouragement to them. So that this misunderstanding had no other effect, but that it gave enemies much ill-natured joy and a secret spiteful diversion\*.

The king gave Russel the command of the fleet ; though he had put himself on ill terms with him, by pressing to know the grounds of the earl of Marlborough's disgrace : he had not only lived in great friendship with him, but had carried the first messages that had passed between him and the king when he went over to Holland : he almost upbraided the king with the earl of Marlborough's services, who, as he said, had set the crown on his head. Russel also came to be on ill terms with the earl of Nottingham, who, as he thought, supported a faction among the flag officers against him : and he fell indeed into so ill an humour on many accounts, that he seemed to be for some time in doubt whether he ought to undertake the command of the fleet or not. I tried, at the desire of some of his friends, to soften him a little, but without success.

The king went over to Holland in March to prepare for an early campaign. He intimated somewhat in his speech to the parliament of a descent designed upon France ; but we had neither men nor money to execute it. And, while we were pleasing ourselves with the thoughts of a descent on France, king James was preparing for a real one on England. It was intended to be made in the end of April : he had about him fourteen thousand English and Irish : and marshal Belfonds was to accompany him with about three thousand French.

\* A lengthy account of this affair is given in the duchess of Marlborough's letters, published in 1742, in which she terms this "the famous quarrel." It is accompanied by a long letter from queen Mary to the princess Anne, insisting upon her breaking with the Marlboroughs

*instantly*, and threatening the royal displeasure, &c. in case of disobedience. This is followed by Anne's answer, dated February 2nd, 1692, remonstrating, and another letter closing the correspondence by a positive refusal.



They were to sail from Cherbourg and La Hogue, and some other places in Normandy, and to land in Sussex, and from thence to march with all haste to London. A transport fleet was also brought thither: they were to bring over only a small number of horses; for their party in England undertook to furnish them with horses at their landing. At the same time the king of France was to march with a great army into Flanders; and he reckoned that the descent in England would either have succeeded, since there was a very small force left within the kingdom, or at least that it would have obliged the king to come over with some of his English troops: and in that case, which way soever the war of England had ended, he should have mastered Flanders, and so forced the States to submit: and in case other designs had failed there was one in reserve, managed by the French ministry and by Luxembourg, of assassinating the king, which would have brought about all their designs. The French king seemed to think the project was so well laid that it could not miscarry; for he said publicly, before he set out, that he was going to make an end of the war. We in England were all this while very secure, and did not apprehend we were in any danger. Both the king and his secretaries were much blamed for taking so little care to procure intelligence: if the winds had favoured the French, they themselves would have brought us the first news of their design: they sent over some persons to give their friends notice but a very few days before they reckoned they should be on our coast: one of these was a Scotchman, and brought the first discovery to Johnstoun: orders were presently sent out to bring together such forces as lay scattered in quarters: and a squadron of our fleet that was set to sea was ordered to lay on the coast of Normandy; but the heavens fought against them more effectually than we could have done. There was for a whole month together such a storm that lay on their coast, that it was not possible for them to come out of their ports; nor could marshal D'Estrees come about with the squadron from Toulon, so soon as was expected. In the beginning of May, about forty of our ships were on the coast of Normandy, and were endeavouring to destroy their transport ships: upon which, orders were sent to marshal Tourville to sail to the channel and fight the English fleet. They had a westerly wind to bring them within the channel, but then the wind struck into the east, and stood so long there, that it both brought over the Dutch fleet and brought about our great ships. By this means our whole fleet was joined: so that Tourville's design of getting between the several squadrons that composed it was lost. The king of France, being then in Flanders, upon this change of wind, sent orders to Tourville not to fight: yet the vessel that carried these was taken, and the duplicate of these orders, that was sent by another conveyance, came not to him till the day after the engagement.

On the nineteenth of May, Russel came up with the French, and was almost twice their number; yet not above the half of his ships could be brought into the action, by reason of the winds: Rook, one of his admirals, was thought more in fault. The number of the ships that engaged was almost equal: our men said that the French neither showed courage nor skill in the action. The night and a fog separated the two fleets, after an engagement that had lasted some hours. The greatest part of the French ships drew near their coasts; but Russel not casting anchor, as the French did, was carried out by the tide: so next morning he was at some distance from them. A great part of the French fleet sailed westward through a dangerous sea, called the Race of Alderney: Ashby was sent to pursue them; and he followed them some leagues: but then the pilots pretending danger, he came back: so twenty-six of them, whom if Ashby had pursued, by all appearance, he had destroyed them all, got into St. Malo's. Russel came up to the French admiral and the other ships that had drawn near their coasts. Delaval burnt the Admiral and his two seconds; and Rook burnt sixteen more before La Hogue\*.

\* It is said that Louis the Fourteenth, knowing that admiral Russel was avaricious, sent him 20,000*l.*, requesting him not to fight on this occasion, but to manœuvre. Under pretence of deliberating, he sent to William the Third, to know how he was to act. The answer was laconic—"Take the money, and beat them." William raised him in 1697 to the peerage, by the title of the earl

of Orford in Suffolk, and viscount Barfleur in Normandy. His various services and reverses will be noticed in future pages. He died in 1727. That he was avaricious seems admitted; but he was beloved in private life, and idolised by his sailors. One of his festivals had an accompaniment quite in the nautical style. He had made a cistern of punch, composed of four hogsheds of brandy, eight

It was believed, that if this success had been pursued with vigour, considering the consternation with which the French were struck upon such an unusual and surprising blow, that this victory might have been carried much farther than it was. But Russel was provoked by some letters and orders that the earl of Nottingham sent him from the queen, which he thought were the effects of ignorance : and upon that he fell into a crossness of disposition : he found fault with every order that was sent him ; but would offer no advices on his part. And he came soon after to St. Helen's, which was much censured ; for though the disabled ships must have been sent in, yet there was no such reason for bringing in the rest that were not touched. Cross winds kept them long in port ; so that a great part of the summer was spent before he went out again. The French had recovered out of the first disorder which had quite dispirited them. A descent in France came to be thought on when it was too late : about seven thousand men were shipped, and it was intended to land them at St. Malo's ; but the seamen were of opinion that neither there nor any where else a descent was then practicable. They complained that the earl of Nottingham was ignorant of sea affairs, and yet that he set on propositions relating to them, without consulting seamen, and sent orders which could not be obeyed without endangering the whole fleet. So the men who were thus shipped lay some days on board, to the great reproach of our counsels : but that we might not appear too ridiculous, both at home and abroad, by landing them again in England, the king ordered them to be sent over to Flanders, after they had been for some weeks on shipboard. And so our campaign at sea, that began so gloriously, had a poor conclusion. The common reflection that was made on our conduct was, that the providence of God and the valour of our men had given us a victory, of which we knew not what use to make ; and, which was worse, our merchants complained of great losses this summer ; for the French having laid up their fleet, let their seamen go and serve in privateers, with which they watched all the motions of our trade : and so by an odd reverse of things, as we made no considerable losses, while the French were masters of our sea two years before, so now, when we triumphed on that element, our merchants suffered the most. The conclusion of all was Russel complained of the ministry, particularly of the earl of Nottingham ; and they complained no less of him ; and the merchants complained of the admiralty : but they, in their own defence, said that we had not ships nor seamen, both to furnish out a great fleet and at the same time to send out convoys for securing the trade.

In Flanders the design, to which the French trusted most, failed : that was laid for assassinating the king : one Grandval had been in treaty with Louvois about it ; and it was intended to be executed the former year. He joined with Du Mont to follow the king and shoot him as he was riding about in his ordinary way, moving slowly, and visiting the posts of his army. The king of France had lost two ministers one after another. Seignelay died first, who had no extraordinary genius himself ; but he knew all his father's methods, and pursued them so, that he governed himself both by his father's maxims and with his tools. Louvois did not survive him long ; he had more fire, and so grew uneasy at the authority madame de Maintenon took in things which she could not understand : and was in conclusion so unacceptable to the king, that once, when he flung his bundle of papers down upon the floor before him, upon some provocation, the king lifted up his cane : but the lady held him from doing more : yet that affront, as was given out, sunk so deep into Louvois' spirits, that he died suddenly a few days after. Some said it was of an apoplexy ; others suspected poison : for a man that knew so many secrets would have been dangerous if he had outlived his favour. His son, Barbesieux, had the survivance of his place, and continued in it for some years ; but, as he was young, so he had not a capacity equal to the post. He found, among his father's papers, a memorandum of this design of Grandval's : so he sent for him, and resolved to pursue it ; in which madame de Maintenon concurred, and Luxembourg was trusted with the direction of it. Du Mont retired this winter to Zell, as one that had forsaken the French service : from some practices and discourses of his a

hogsheads of water, twenty-five thousand lemons, twenty gallons of lime juice, thirteen hundred pounds of sugar, five pounds of grated nutmegs, three hundred toasted biscuits, and a pipe of mountain wine. Persons in a small boat

filled for all comers, and more than six thousand persons partook of this Caspian bowl.—Noble's Continuation of Grainger.

suspicion arose, of which sir William Colt, the king's envoy there, gave notice : so one Leefdale, a Dutch papist, was secretly sent to Paris, as a person that would enter into the design ; but, in reality, went on purpose to discover it.

Grandval and he came back to Flanders to set about it : but Leefdale brought him into a party that seized on him. Both king James and his queen were, as Grandval said, engaged in the design : one Parker, whom they employed in many black designs, had concerted the matter with Grandval, as he confessed, and had carried him to king James, who encouraged him to go on with it, and promised great rewards. When Grandval saw there was full proof against him, he confessed the whole series of the management without staying till he were put to the torture. Mr. Morel, of Berne, a famous medalist (who had for some years the charge of the French king's cabinet of medals, but being a protestant, and refusing to change his religion, was kept a close prisoner in the Bastile for seven years), was let out in April this year. And, before he left Paris, his curiosity carried him to St. Germain's, to see king James : he happened both to go and come back in the coach with Grandval ; and while he was there he saw him in private discourse with king James : Grandval was full of this project, and, according to the French way, he talked very loosely to Morel, not knowing who he was ; but fancied he was well affected to that court. He said there was a design in hand that would confound all Europe : for the prince of Orange, so he called the king, would not live a month. This Morel wrote over to me in too careless a manner ; for he directed his letter with his own hand, which was well known at court ; yet it came safe to me. The king gave orders that none belonging to him should go near Grandval, that there might be no colour for saying that the hopes of life had drawn his confession from him : nor was he strictly interrogated concerning circumstances ; but was left to tell his story as he pleased himself. He was condemned ; and suffered with some slight remorse for going into a design to kill a king. His confession was printed. But how black soever it represented the court of France, no notice was taken of it : nor did any of that court offer to disown or disprove it, but let it pass and be forgotten : yet so blind and violent was their party among us, that they resolved they would believe nothing that either blemished king James or the French court.

But though this miscarried, the French succeeded in the siege of Namur, a place of great importance, that commanded both the Meuse and Sambre, and covered both Liege and Maestricht : the town did soon capitulate, but the citadel held out much longer. The king came with a great army to raise the siege : Luxembourg lay in his way with another to cover it, and the Meuse lay between. The king intended to pass the river and force a battle ; but such rains fell the night before he designed to do it, and the river swelled so much, that he could not pass it for some days : he tried, by another motion, to come and raise the siege. But the town having capitulated so early, and the citadel laying on the other side of the Sambre, he could not come at it : so after a month's siege it was taken. This was looked on as the greatest action of the French king's life ; that, notwithstanding the depression of such a defeat at sea, he yet supported his measures so as to take that important place in the view of a great army. The king's conduct was on this occasion much censured : it was said, he ought to have put much to hazard, rather than suffer such a place to be taken in his sight.

After Namur surrendered, that king went back to Paris in his usual method ; for, according to the old Persian luxury, he used to bring the ladies with him, with the music, poems, and scenes, for an opera and a ball ; in which he and his actions were to be set out with the pomp of much flattery. When this action was over, his forces lay on the defensive, and both armies made some motions, watching and waiting on one another.

At Steenkirk, the king thought he had a favourable occasion for attacking the French in their camp ; but the ground was found to be narrower and less practicable than the king had been made to believe it was. Ten battalions began the attack, and carried a post with cannon, and maintained it long, doing great execution on the enemy ; and if they had been supported or brought off it would have proved a brave attempt ; but they were cut in pieces. In the whole action the French lost many more men than the confederates did, for they came so thick that our fire made great execution. The conduct of this affair was much



censured. It was said, the ground ought to have been better examined before the attack was begun, and the men ought to have been better maintained than they were: for many thought that, if this had been done, we might have had a total victory. Count Solms bore the blame of the errors committed on this occasion. The English had been sometimes checked by him, as he was much disgusted with their heat and pride: so they charged all on him, who had some good qualities; but did not manage them in an obliging manner. We lost in this action about five thousand men, and many brave officers. Here Mackay was killed, being ordered to a post that he saw could not be maintained: he sent his opinion about it; but the former orders were confirmed: so he went on, saying only, "The will of the Lord be done." He was a man of such strict principles, that he would not have served in a war that he did not think lawful. He took great care of his soldiers' morals, and forced them to be both sober and just in their quarters: he spent all the time that he was master of in secret prayers, and in reading of the Scriptures. The king often observed that when he had full leisure for his devotions, he acted with a peculiar exaltation of courage. He had one very singular quality: in councils of war he delivered his opinion freely, and maintained it with due zeal; but how positive soever he was in it, if the council of war overruled, even though he was not convinced by it, yet to all others he justified it, and executed his part with the same zeal as if his own opinion had prevailed. After the action at Steenkirk, there was little done this campaign. A detachment that the king sent from his army, joined with those bodies that came from England, broke in some way into the French conquests: they fortified Dixmuyde and Furness, and put the country about them under contribution, and became very uneasy neighbours to Dunkirk. The command of those places was given to the count of Horn, who understood well the way to make all possible advantages by contributions; but he was a man of no great worth, and of as little courage. This disgusted the English still more; who said the Dutch were always trusted and preferred, while they were neglected. They had some colour to censure this choice the following winter; for, upon the motion of some French troops, Horn (without studying to amuse the enemy, or to gain time, upon which much may depend in winter) did immediately abandon Dixmuyde. All he had to justify himself was a letter from the elector of Bavaria, telling him that he could send him no relief; and therefore he ordered him to take care of the garrison, which was of more importance than the place itself. Thus the campaign ended in Flanders; Namur was lost; the reputation of the king's conducting armies was much sunk; and the English were generally discontented, and alienated from the Dutch.

Nothing was done on the Rhine. The elector of Saxony had promised to bring an army thither; but Shening, his general, who had great power over him, was gained by the French to break his design. The duke of Saxony complained that the emperor favoured the circles of Franconia and Swabia so much, that he could have no good quarters assigned him for his army: and upon this occasion it was said that the emperor drew much money from those circles, that they might be covered from winter quarters; and that he applied all that to carrying on the war in Hungary; and so left the weight of the war with France to lie very heavy on the princes of the empire. This contest went on so high, that Shening, who was thought the ill instrument in it, going for his health to the hot baths in Bohemia, was seized on by the emperor's orders; upon which great expostulations passed between the courts of Vienna and Dresden. There were two small armies that acted separately on the Rhine, under the command of the landgrave of Hesse and the marquis of Bareith: but they were not able to cover the empire: and another small army, brought together by the duke of Wirtemberg, for the defence of his country, was totally defeated: not only cannon and baggage, but the duke himself, fell into the enemy's hands.

But though the emperor did, as it were, abandon the empire to the French, he made no great progress in Hungary: the Turks lay upon the defensive, and the season was spent in motions, without either battle or siege. There was still some discourse, but no great probability, of peace. Two English ambassadors dying, the one sir Thomas Hussay, soon after his arrival at Constantinople, and the other, Mr. Harbord, on his way thither: the lord Paget, then our ambassador at the emperor's court, was ordered to go thither, to mediate the peace. He found the mediation was, in a great measure, spoiled by the Dutch ambassador before

his arrival; for he had been prevailed on, by the court of Vienna, to offer the mediation of the Dutch upon a very high scheme. Caminieck and the Ukrain, and Podolia, with Moldavia and Valachia, were demanded for Poland: Transylvania, with the person of count Tekeli, for the emperor; and Achaia and Livadia, as an antemurale to cover the Morea, for the Venetians. The court of Vienna, by offering such a project, reckoned the war must go on, which they desired. The ministers of the Porte, who were gained by the French to carry on the war, were glad to see so high a project: they were afraid of tumults; so they spread this project over the whole empire, to show on what ignominious terms the mediation was proposed; and by that they justified their going on with the war. But the lord Paget offered the king's mediation upon another project; which was, that every prince was to keep what he was then possessed of: and Caminieck was only demanded to be razed. If this had been offered at first, the Ottoman court durst not have refused it; the people were become so weary under a long and unprosperous war: but the vizier suppressed this, and made it still pass among them, that the English pressed the same project that the Dutch had proposed; which was the more easily believed there, because how ignorant soever they were at that court, they knew well what an interest the king of England had in the States. So the war was still carried on there: and Trumball, who came over to England at this time, told the king that if, instead of sending embassies, he would send a powerful fleet into the Mediterranean, to destroy the French trade and stop the commerce with Turkey, he would quickly bring that court to other measures, or raise such tumults among them as would set that empire, and even Constantinople itself, all in a flame.

In Piedmont, the campaign was opened very late, and the French were on the defensive; so the duke of Savoy entered into Dauphiny with an army; and if he had carried on that attempt with the spirit with which he began it, he had put the affairs of France on that side into great disorder; but he was either ill served or betrayed in it: he sat down before Ambrun, and besieged it in form: so that a place, which he might have carried in three days, cost him some weeks: and in every step he made it appear there was either a great feebleness, or much treachery, in his counsels. He made no great progress; yet the disorder it threw that and the neighbouring provinces into was very great. He was stopped by the small-pox, which saved his honour as much as it endangered his person: the retreat of his army, when his life was in danger, looked like a due caution. He recovered of the small-pox, but a ferment remained still in his blood, and broke out so often into feverish relapses, that it was generally thought he was poisoned. Many months passed before he was out of danger. So the campaign ended there with considerable losses to the French, but with no great advantage to the duke. The greatest prejudice the French suffered this year was from the season: they had a very bad harvest and no vintage in the northern parts. We in England had great apprehensions of as bad a harvest from a very cold and wet summer. Great deluges of rain continued till the very time of reaping. But, when we were threatened with a famine, it pleased God to send such an extraordinary change of the season, that we had a very plentiful crop; enough both to serve ourselves and to supply our neighbours, which made us easy at home, and brought in much wealth for that corn which we were able to spare.

In the beginning of September there was an earthquake felt in most places in England, and was at the same time felt in many parts of France, Germany, and the Netherlands. No harm was done by it, though it continued for three or four minutes. I can write nothing of it from my own observation, for it was not sensible in the place where I happened to be at that time; nor can it be determined whether this had any relation to those terrible earthquakes that happened some months after this in Sicily and Malta, upon which I cannot enlarge, having seen no other account of them than what was in public gazettes, which represented them as the most dreadful by much of any that are in history: it was estimated that about one hundred thousand persons perished by them in Sicily. It is scarcely to be imagined that the earthquake, which about the same time destroyed the best part of the chief town in Jamaica, could have any connection with these in Europe. These were very extraordinary things, which made those who studied apocalyptical matters imagine that the

end of the world drew near. It had been happy for us if such dismal accidents had struck us with a deeper sense of the judgments of God.

We were indeed brought to more of an outward face of virtue and sobriety: and the great examples that the king and queen set the nation had made some considerable alterations as to public practices, but we became deeply corrupted in principle: a disbelief of revealed religion, and a profane mocking at the Christian faith and the mysteries of it, became avowed and scandalous. The queen, in the king's absence, gave orders to execute the laws against drunkenness, swearing, and the profanation of the Lord's day, and sent directions over England to all magistrates to do their duty in executing them; to which the king joined his authority upon his return to England. Yet the reformation of manners, which some zealous men studied to promote, went on but slowly: many of the inferior magistrates were not only remiss but very faulty themselves: they did all they could to discourage those who endeavoured to have vice suppressed and punished: and it must be confessed that the behaviour of many clergymen gave atheists no small advantage: they had taken the oaths and read the prayers for the present government; they observed the orders for public fasts and thanksgivings; and yet they showed in many places their aversion to our establishment but too visibly: so that the offence that this gave in many parts of the nation was too evident: in some places it broke out in very indecent instances, that were brought into courts of law and censured. This made many conclude that the clergy were a sort of men that would swear and pray even against their consciences rather than lose their benefices; and by consequence that they were governed by interest and not by principle. The jacobites grew still to be more and more outrageous, while the clergy seemed to be neutrals in the dispute; and, which was yet the most extraordinary thing in the whole matter, the government itself acted with so much remissness, and so few were enquired after or punished, that those who were employed by the king behaved themselves in many places as if they had secret instructions to be heavy upon his best friends, and to be gentle to his enemies. Upon the whole matter, the nation was falling under such a general corruption, both as to morals and principles, and that was so much spread among all sorts of people, that it gave us great apprehensions of heavy judgments from Heaven\*.

The session of parliament was opened under great disadvantages. The earl of Marlborough and some other peers had been put in the Tower upon a false accusation of high treason, which was evidently proved to be a conspiracy, designed by some profligate creatures, who fancied that forgeries and false-swearing would be as acceptable and as well rewarded in this reign as they had been formerly. But, till this was detected, the persons accused were kept in prison, and were now only out upon bail: so it was said to be contrary to the nature and freedom of parliaments for prisoners to sit in it. It was confessed that in times of danger, and such was the former summer, it must be trusted to the discretion of a government, to commit such persons as were suspected: but when the danger was over, by our victory at sea, those against whom there lay nothing besides suspicions, ought to have been set at liberty: and this was thought reasonable. There was an association pretended to be drawn against the government, to which the subscriptions of many lords were set so dexterously, that the lords themselves said they could not distinguish between their true subscriptions and those that were forged for them. But the manner of the discovery, with several other circumstances, carried such marks of imposture, that the lords of the council ordered a strict prosecution of all concerned in it, which ended in a full conviction of the forgery: and those who had combined in it were whipped and pilloried, which, to the reproach of our constitution, is the only punishment that our law has yet provided for such practices. The lords passed some votes, asserting their privileges; and were offended with the judges for detaining some in prison, though there was no reason nor colour for their displeasure. But where the privilege or the dignity of peerage is in question, it is not easy to keep the house within bounds.

The debate went off in a bill that indemnified the ministry for those commitments, but

\* In "Poems on State Affairs," vol. ii., published in 1703, is a satire, by De Foe, entitled, "Reformation of Manners."—It gives severe characters of some of the public officers of those times, and is altogether well worthy perusal.



limited them for the future by several rules; all which rules were rejected by the commons. They thought those limitations gave a legal power to commit in cases where they were observed; whereas they thought the safer way was to indemnify the ministry, when it was visible they did not commit any but upon a real danger, and not to set them any rules; since, as to the committing of suspected persons, where the danger is real and visible, the public safety must be first looked to and supersede all particular laws. When this was over, an attempt was made in both houses, for the abjuration of king James: the king himself was more set on it than he had been formerly. It was rejected by the house of commons: and though some steps were made in it by the lords, yet the opposition was so great that it was let fall.

The affairs at sea occasioned much heat in both houses. The earl of Nottingham laid before the lords, upon an address they had made to the king, all the letters that had passed between himself and Russel, with all the orders he had sent him: and he aggravated Russel's errors and neglects very severely. But the house of commons justified Russel and gave him thanks over and over again; and remained so fixed in this, that though the lords then communicated the papers the earl of Nottingham had laid before them to the commons, they would not so much as read them, but renewed their first votes that justified Russel's fidelity, courage, and conduct.

The king was now possessed against him: for he dismissed him from his service, and put the command of the fleet into the hands of three persons, Killigrew, Delaval, and Shovel: the two first were thought so inclinable to king James's interests, that it made some insinuate that the king was in the hands of those who intended to betray him to his enemies; for though no exception lay against Shovel, yet it was said, he was only put with the other two to give some reputation to the commission, and that he was one against two: so that he could neither hinder nor do any thing. The chief blame of this nomination was thrown on the earl of Nottingham; and of those who belonged to his office many stories were raised and spread about, as if there had been among them, besides a very great remissness in some of the concerns of the government, an actual betraying of all our secrets and counsels. The opinion of this was spread both within and without the kingdom, and most of our confederates were possessed with it. He justified not only himself but all his under secretaries; both the king and queen continued still to have a good opinion of his fidelity; but they saw some defects in his judgment, with a most violent party heat, that appeared upon all occasions, and even in the smallest matters. The bills for the supply went on with a heavy progress in the house of commons; those who could not oppose them yet showed their ill humour in delaying them, and clogging them with unacceptable clauses all they could. And they continued that wasteful method of raising money upon remote funds, by which there lay a heavy discount on tallies; so that above a fourth part was, in some of them, to be discounted: the parties of whig and tory appeared almost in every debate, and in every question.

The ill humour prevailed most in the house of lords, where a strong opposition was made to every thing that was proposed for the government. They passed many votes, and made many addresses to the king, which were chiefly designed to load the administration and to alienate the king from the Dutch. The commons began with great complaints of the Admiralty: and then they had the conduct in Flanders, particularly in the action at Steenkirk, before them: and they voted some heads of an address relating to those matters: but by a secret management they let the whole thing fall, after they had passed those angry votes. Any thing that the lords could do was of less moment when it was not likely to be seconded by the commons; yet they showed much ill humour.

This was chiefly managed by the marquis of Halifax and the earl of Mulgrave; and they drew in the earl of Shrewsbury, who was very ill pleased with the credit that some had with the king, and lived in a particular friendship with the earl of Marlborough, and thought that he was both ungratefully and unjustly persecuted. These lords had all the jacobites ready to assist them in every thing that could embroil matters; a great many whigs, who were discontented and jealous of the ministry, joined with them: they knew that all their murmuring would signify little, unless they could stop a money bill: and,

since it was settled in the house of commons as a maxim, that the lords could not make any alterations in money-bills, when the bill for four shillings in the pound land-tax came up, they put their strength to carry a clause, that the peers should tax themselves. And though, in the way in which this clause was drawn up, it could not be defended, yet they did all that was possible to put a stop to the bill ; and with unusual vehemence pressed for a delay, till a committee should be appointed to examine precedents. This the earl of Mulgrave pressed for many hours, with a force of argument and eloquence beyond any thing that I had ever heard in that house. He insisted much upon the dignity of peerage ; and made this, which was now proposed, to be so main a part of that dignity, that he exhausted all the topics of rhetoric, to convince the lords, that, if they yielded to this, they divested themselves of their true greatness ; and nothing would remain but the name and shadow of a peer, which was but a pageant. But after all the pomp and heat of his oratory, the lords considered the safety of the nation more than the shadow of a privilege ; and so they passed the bill.

These lords also set on foot a proposition that had never been offered, but when the nation was ready to break out into civil wars ; and that was, that a committee of lords and commons should be appointed to confer together, concerning the state of the nation ; this once begun would have grown in a very short time to have been a council of state ; and they would soon have brought all affairs under their inspection ; but this was so strongly opposed, that it was soon let fall.

When the party that was set against the court saw they could carry nothing in either house of parliament, then they turned their whole strength against the present parliament, to force a dissolution ; and in order to that, they first loaded it with a name of an ill sound ; and, whereas king Charles's long parliament was called the pensioner parliament, they called this *the officers' parliament* ; because many that had commands in the army were of it : and the word that they gave out among the people was, that we were to be governed by a standing army, and a standing parliament. They tried to carry a bill that rendered all members of the house of commons incapable of places of trust or profit ; so that every member that accepted a place should be expelled the house, and be incapable of being chosen again to sit in the current parliament. The truth was, it came to be observed, that some got credit by opposing the government ; and that to silence them, they were preferred : and then they changed their note, and were as ready to flatter as before to find fault. This gave a specious colour to those who charged the court with designs of corrupting members, or, at least, of stopping their mouths by places and pensions. When this bill was set on, it went through the house of commons with little or no difficulty : those who were in places had not strength and credit to make great opposition to it, they being the persons concerned, and looked on as parties : and those who had no places, had not the courage to oppose it ; for in them it would have looked as an art to recommend themselves to one. So the bill passed in the house of commons ; but it was rejected by the lords, since it seemed to establish an opposition between the crown and the people, as if those who were employed by the one could not be trusted by the other.

When this failed, another attempt was made in the house of lords ; in a bill that was offered, enacting, That a session of parliament should be held every year, and a new parliament be summoned every third year, and that the present parliament should be dissolved within a limited time. The statutes for annual parliaments in king Edward the First, and king Edward the Third's time, are well known ; but it is a question whether the supposition "if need be" falls upon the whole act, or only upon those words, "or oftener:" it is certain these acts were never observed, and the non-observance of them was never complained of as a grievance. Nor did the famous act in king Charles the First's time, carry the necessity of holding a session further than to once in three years. Anciently, considering the haste and hurry in which parliaments sat, an annual parliament might be no great inconvenience to the nation ; but by reason of the slow methods of sessions now, an annual parliament in times of peace would become a very insupportable grievance. A parliament of a long continuance seemed to be very dangerous, either to the crown, or to the nation ; if the conjuncture, and their proceedings, gave them much credit, they might grow very uneasy to

the crown, as happened in king Charles the First's time ; or in another situation of affairs, they might be so practised upon by the court, that they might give all the money, and all the liberties of England up, when they were to have a large share of the money, and were to be made the instruments of tyranny, as it was likely to have been in king Charles the Second's time. It was likewise hoped, that frequent parliaments would put an end to the great expense candidates put themselves to in elections ; and that it would oblige the members to behave themselves so well, both with relation to the public, and in their private deportment, as to recommend them to their electors at three years' end ; whereas when a parliament was to sit many years, members covered with privileges were apt to take great liberties, forgot that they represented others, and took care only of themselves. So it was thought, that England would have a truer representative, when it was chosen anew every third year, than when it run on to the end of a reign. All that was objected against this was, that frequent elections would make the freeholders proud and insolent, when they knew that applications must be made to them at the end of three years ; this would establish a faction in every body of men that had a right to an election ; and whereas now an election put men to a great charge all at once, then the charge must be perpetual all the three years, in laying in for a new election, when it was known how soon it must come round. And as for the dissolution of the present parliament, some were for leaving it to the general triennial clause, that it might still sit three years ; they thought that, during so critical a war, as that in which we were now engaged, it was not advisable to venture on a new election, since we had so many among us who were so ill affected to the present establishment : yet it was said, this parliament had already sat three years ; and, therefore, it was not consistent with the general reason of the act to let it continue longer. So the bill passed in the house of lords ; and though a bill from them, dissolving a parliament, struck only at the house of commons, the lords being still the same men ; so that, upon that single account, many thought they would have rejected it, yet they also passed it, and fixed their own dissolution to the twenty-fifth of March in the next year ; so that they reserved another session to themselves. The king let the bill lie for some time on the table : so that men's eyes and expectations were much fixed on the issue of it. But, in conclusion, he refused to pass it ; so the session ended in ill humour. The rejecting a bill, though an unquestionable right of the crown, has been so seldom practised, that the two houses are apt to think it a hardship when there is a bill denied \*.

But to soften the distaste this might otherwise give, the king made considerable alterations in his ministry. All people were now grown weary of the great seal's being in commission ; it made the proceedings in chancery to be both more dilatory, and more expensive ; and there were such exceptions made to the decrees of the commissioners, that appeals were brought against most of them, and frequently they were reversed. Sir John Somers had now got great reputation, both in his post of attorney-general, and in the house of commons ; so the king gave him the great seal. He was very learned in his own profession, with a great deal more learning in other professions, in divinity, philosophy, and history. He had a great capacity for business, with an extraordinary temper ; for he was fair and gentle, perhaps to a fault, considering his post ; so that he had all the patience and softness, as well as the justice and equity, becoming a great magistrate. He had always agreed in his notions with the whigs, and had studied to bring them to better thoughts of the king, and to a greater confidence in him †. Trenchard was made secretary of state ; he had been engaged

\* King William was persuaded to consent to the triennial bill, two years subsequently. His rejection of the bill, as mentioned in the text, is the last time the prerogative of the crown has been so employed ; and, although the king has an undoubted right to withhold his consent to any bill passed by the two houses, yet he would be now a very rash monarch who would venture to do it against the united opinions of the collected wisdom of the nation. In earlier periods of our history, the prerogative was profusely exercised. In sir Symond Dowe's "Journal," p. 596, it is stated, that queen Elizabeth, at the close of a

session, gave her consent to forty-three bills, and rejected forty-eight.

† John, lord Somers, baron Evesham, born in 1650, at Worcester, was one of the brightest ornaments of his age. His father sent him to Trinity College, Oxford ; and here he formed an intimacy with the young duke of Shrewsbury, that never afterwards was weakened. He first obtained public notice by the talents displayed by him as one of the counsel employed to defend, in 1688, the seven bishops, or *seven golden candlesticks*, as they were emphatically denominated. Always acting consistently



far with the duke of Monmouth, as was told formerly. He got out of England, and lived some years beyond sea, and had a right understanding of affairs abroad : he was a calm and sedate man, and was much more moderate than could have been expected, since he was a leading man in a party. He had too great a regard to the stars, and too little to religion\*. The bringing these men into those posts was ascribed chiefly to the great credit the earl of Sunderland had gained with the king ; he had now got into his confidence, and declared openly for the whigs. These advancements had a great effect on the whole party, and brought them to a much better opinion of the king. A young man, Mr. Montague, a branch of the earl of Manchester's family, began to make a great figure in the house of commons. He was a commissioner of the treasury, and soon after made chancellor of the exchequer. He had great vivacity and clearness, both of thought and expression ; his spirit was at first turned to wit and poetry, which he continued still to encourage in others, when he applied himself to more important business. He came to have great notions with relation to all the concerns of the treasury, and of the public funds, and brought those matters into new and better methods : he shewed the error of giving money upon remote funds, at a vast discount, and with great premiums to raise loans upon them ; which occasioned a great outcry at the sums that were given, at the same time that they were much shrunk before they produced the money that was expected from them. So he pressed the king to insist on this as a maxim, to have all the money for the service of a year to be raised within that year†.

with the whigs, he obtained the favour of William, who made him solicitor-general in 1689, and attorney-general in 1692. In the following year we have seen that he was made lord keeper, and four years subsequently was ennobled, and appointed lord high chancellor. Never had so much dignity, or so much mildness, been displayed ; never such a complication of endowments centred in one person. He was a prodigy. Lord Orford said he was "a chapel in a place where every other room is profaned." In the city he only had to ask for the king, and the money was had. The laws of England were known to him, and he was not ignorant of those of Greece, Rome, or modern kingdoms. Foreign ambassadors, noblemen, and strangers saw, in an individual of private birth, unused to courts, the manners of the most finished courtier : professional men of all kinds found in him, for he admitted them to his table, an adept in that science they had spent a life in studying. A lucid eloquence was natural to him. His arguments were called "geometrical stairs," supporting each other. He was the truest patriot and sincerest of all William's ministers ; yet, as will be seen in future pages, even he could not escape the machinations of those who desired place and power more than they respected worth. In 1710, he finally retired from public affairs, and died in 1716—a warning against presumption to the most talented—an idiot ! His great foible was a devotion to women, and this hastened his death. Unmarried, his titles died with him. It is greatly to be lamented that nearly all his MSS were destroyed in 1752 by a fire in Lincoln's-Inn. The few that escaped have been published by lord Hardwicke. A good life of this great man is still a desideratum. Whoever undertakes it, will find valuable materials in those papers, and in the "Shrewsbury Correspondence." Maddock's *Life of Somers*, and the sketch of his early years, by Cooksey, are very imperfect. There is a memoir of him in the *Biographia Britannica*.

\* Sir John Trenchard was of the legal profession. His residence was Wolverton, in Dorsetshire. He narrowly escaped being executed, for one of the witnesses swore that Trenchard undertook to raise troops at Taunton, although, as he was the first mover of the exclusion bill, it was considered James the Second would have him destroyed. He joined Monmouth's expedition, but escaped when it was defeated. At the revolution he returned to England, and represented Dorchester in Parliament. He was made

a serjeant in 1689, and afterwards secretary of state, as mentioned above. He enjoyed his distinctions a very short time, dying in 1694.—Noble's *Continuation of Grainger*.

† Charles Montague was the youngest son of a youngest son of an earl of Manchester, and born at Horton, in Northamptonshire, during 1661. The remainder of his career may be told in the words of Dr. Johnson. He was educated first in the country, and then removed to Westminster ; where, in 1677, he was chosen a king's scholar, and recommended himself to Busby by his felicity in extemporary epigrams. He contracted a very intimate friendship with Mr. Stepney ; and, in 1682, when Stepney was elected to Cambridge, the election of Montague being not to proceed until the year following, he was afraid lest, by being placed at Oxford, he might be separated from his companion, and therefore solicited to be removed to Cambridge. It seemed, indeed, time to wish for a removal, for he was already a schoolboy of twenty-one. At Trinity College, of which his uncle was the master, he commenced his acquaintance with the great Newton, which continued through his life, and was at last attested by a legacy. In 1685, his verses on the death of king Charles made such an impression upon the earl of Dorset, that he was invited to town, and introduced by that universal patron of the wits. In 1687 he joined with Prior in "the City Mouse and Country Mouse," a burlesque of Dryden's "Hind and Panther." He signed the invitation to the prince of Orange, and sat in the convention. About the same time he married the countess dowager of Manchester, and intended to have taken orders, but changed his purpose, and purchased for 1,500*l*. the place of one of the clerks of council. After he had written his epistle on the victory of the Boyne, his patron, Dorset, introduced him to the king, saying, "Sire, I have a *mouse* to wait on your majesty." To which the king is said to have replied, "You do well to put me in the way of making a *man* of him." In 1691, being a member of the house of commons, he argued warmly in favour of a law to grant the assistance of counsel in trials for high treason ; and in the midst of his speech, falling into some confusion, was for a while silent ; but recovering himself, observed, "how reasonable it was to allow counsel to men called as criminals before a court of justice, when it appeared how much the presence of this assembly would disconcert one of their own body." He now rose fast into honours and employment, being made one of the

But as the employing these men had a very good effect on the king's affairs, so a party came to be now formed that studied to cross and defeat every thing; this was led by Seymour and Musgrave. The last was a gentleman of a noble family in Cumberland, whose life had been regular, and his deportment grave. He had lost a place in king James's time; for though he was always a high tory, yet he would not comply with his designs. He had indeed contributed much to increase his revenue, and to offer him more than he asked; yet he would not go into the taking off the tests. Upon the revolution, the place out of which he had been turned, was given to a man that had a good share of merit in that great event. This alienated him from the king; and he, being a man of good judgment, and of great experience, came to be considered as the head of the party; in which he found his account so well, that no offers that were made him could ever bring him over to the king's interests. Upon many critical occasions he gave up some important points, for which the king found it necessary to pay him very liberally.

But the party of the tories was too inconsiderable to have raised a great opposition, if a body of whigs had not joined with them; some of these had such republican notions, that they were much set against the prerogative: and they thought the king was become too stiff in maintaining it; others were offended because they were not considered nor preferred, as they thought they deserved. The chief of these were, Mr. Paul Foley and Mr. Harley\*. The first of these was a younger son of one, who from mean beginnings had, by iron works, raised one of the greatest estates that had been in England in our time. He was a learned, though not a practising lawyer; and was a man of virtue and good principles, but morose and wilful; and he had the affectation of passing for a great patriot by his constant finding fault with the government, and venting an ill humour, and a bad opinion of the court. Harley was a man of a noble family, and very eminently learned; much turned to politics, and of a restless ambition. He was a man of great industry and application, and knew forms, and the records of parliament so well, that he was capable both of lengthening out and of perplexing debates. Nothing could answer his aspiring temper; so he and Foley joined with the tories to create jealousies, and raise an opposition. They soon grew to be able to delay matters long, and set on foot some very uneasy things that were popular; such as the bill against parliament-men being in places, and that for dissolving the parliament, and for having a new one every third year.

That which gave them much strength was, the king's cold and reserved way; he took no pains to oblige those that came to him, nor was he easy of access; he lived out of town at Kensington, and his chief confidants were Dutch. He took no notice of the clergy, and seemed to have little concern in the matters of the church, or of religion; and at this time some atheists and deists, as well as Socinians, were publishing books against religion in general, and more particularly against the mysteries of our faith. These expressed great zeal for the government, which gave a handle to those who were waiting for all advantages, and were careful of increasing and improving them, to spread it all over the nation, that the king, and those about him, had no regard to religion, nor to the church of England.

But now I go on to the transactions of this summer. The king had, in his speech to the parliament, told them he intended to land a considerable army in France this year: so, after the session, orders were given for hiring a fleet for transports, with so great a train of artillery, that it would have served an army of forty thousand men. This was very acceptable to the whole nation, who loved an active war, and were very uneasy to see so much money paid, and so little done with it; but all this went off without any effect. The

commissioners of the treasury, a privy councillor, and chancellor of the exchequer, as mentioned in the text. He merited the gratitude of his country by effecting a re-coinage of the silver currency in two years, an undertaking that was deemed impossible to complete. In 1696, he projected the *general fund*, and raised the credit of the exchequer; examined the grants of the Irish crown lands, and was voted by the house of commons to have deserved his majesty's favour. In 1698, he was advanced to be first commissioner of the treasury, and appointed one of the regency in the king's absence; the year after, he

was raised to the peerage. He was twice attacked by the house of commons, so uncertain is popular favour, but was as often protected by the counter-votes of the peers. He again came into office upon the accession of George the First, but died soon after, in 1715, to the confusion of the chief practitioners of that time, Doctors Shadwell, Scigerthal, Blackmore, and Mead, who declared his disease to be a pleurisy, when it proved to be an inflammation of the lungs.—Johnson's *Lives of the Poets*; Noble's *Continuation of Grainger*.

\* Afterwards earl of Oxford.

French had attempted this winter the siege of Rhinfeldt, a place of no great consequence; but it lay upon the Rhine, not far from Coblenz; and by it Franconia would have been open to them. They could not cut off the communication by the Rhine; so that fresh supplies of men and provisions were every day sent to them by the care of the landgrave of Hesse, who managed the matter with such success, that after a fortnight's stay before it, the French were forced to raise the siege; which was a repulse so seldom given them, that upon it some said, they were then sensible that Louvois was dead. The French had also made another attempt upon Huy, of a shorter continuance, but with the like success. The campaign was opened with great pomp in Flanders; for the king of France came thither in person, accompanied by the ladies of the court, which appeared the more ridiculous, since there was no queen at the head of them, unless madame de Maintenon was to be taken for one, to whom respects were indeed paid with more submission than is commonly done to queens; so that what might be wanting in the outward ceremony, was more than balanced by the real authority that she had. It was given out, that the king of France, after he had amused the king for some days, intended to have turned either to Brussels on the one hand, or to Liege on the other. In the mean while the French were working on the Dutch, by their secret practices, to make them hearken to a separate peace; and the ill humour that had appeared in the parliament of England against them was an argument much made use of, to convince them how little ground they had to trust to their alliance with England; so that, as French practices had raised this ill humour among us, they made now this use of it to break our mutual confidence, and by consequence our alliance with the States. The king made great haste, and brought his army much sooner together than the French expected: he encamped at Park, near Louvain: by which he broke all the French measures; for he lay equally well posted to relieve Brussels or Liege. It was grown the more necessary to take care of Liege, because though the bishop was true to the allies, yet there was a faction formed among the capitulars, to offer themselves to the French; but the garrison adhered to the bishop; and now, when so great an army lay near them, they broke the measures which that faction had taken. The French king, seeing that the practices of treachery, on which he chiefly relied, succeeded so ill, resolved not to venture himself in any dangerous enterprise; so he and the ladies went back to Versailles.

The dauphin, with a great part of the army, was sent to make head against the Germans who had brought an army together, commanded by the elector of Saxony, the landgrave of Hesse, and the prince of Baden; the Germans moved slowly, and were retarded by some disputes about the command; so that the French came on to Heidelberg, before they were ready to cover it. The town could make no long resistance, but it was too soon abandoned by a timorous governor. The French were not able to hinder the conjunction of the Germans, though they endeavoured it; they advanced towards them. And though the Dauphin was much superior in numbers, and studied to force them to action, yet they kept close; and he did not think fit to attack them in their camp. The French raised great contributions in the Wirtemberg; but no action happened on the Rhine all this campaign. The French had better success, and less opposition, in Catalonia: they took Rosas, and advanced to Barcelona, expecting their fleet, which was to have bombarded it from the sea, while their army attacked it by land. This put all Spain under a great consternation; the design of this invasion was, to force them to treat of a separate peace; while they felt themselves so vigorously attacked, and saw that they were in no condition to resist.

Affairs in Piedmont gave them a seasonable relief: the duke of Savoy's motions were so slow, that it seemed both sides were resolved to lie upon the defensive. The French were very weak there, and they expected to be as weakly opposed; but in the end of July, the duke began to move; and he obliged Catinat to retire with his small army, having made him quit some of his posts. And then he formed the siege of St. Bridget, a fort that lay above Pignerol, and, as was believed, might command it. After twelve days' siege, the French abandoned it, and he was master of it; but he was not furnished for undertaking the siege of Pignerol, and so the campaign went off in marches and countermarches; but in the end of it, Catinat, having increased his army by some detachments, came up to the duke of Savoy. They engaged at Orbasson, where the honour of the action, but with that



the greatest loss, fell to the French ; for, though they carried it by their numbers, their bodies being less spent and fuller, yet the resistance that was made was such, that the duke of Savoy gained more in his reputation, than he suffered by the loss of the day.

The two armies lay long in Flanders, watching one another's motions, without coming to action. In July, Luxembourg went to besiege Huy, and carried it in two or three days. The king moved that way, on design either to raise the siege, or to force a battle. Those in Huy did not give him time to come to their relief ; and Luxembourg made a feint towards Liege, which obliged the king to send some battalions to reinforce the garrison of that place. He had also sent another great detachment, commanded by the duke of Wirtemberg, to force the French lines, and to put their country under contribution ; which he executed with great success, and raised above four millions. Luxembourg thought this was an advantage not to be lost : so that, as soon as he had received orders from the king of France to attack the king in his camp, he came up to him near Landen, upon the river Gitte. He was about double the king's number, chiefly in horse. The king might have secured himself from all attacks, by passing the river ; and his conduct in not doing it was much censured, considering his strength, and the enemy's. He chose rather to stay for them, but sent away the baggage and heavy cannon to Mechlin, and spent the whole night in planting batteries, and casting up retrenchments. On the twenty-ninth of July the French began their attack, early in the morning, and came on with great resolution, though the king's cannon did great execution ; they were beaten off with the loss of many officers in several attacks ; yet they came still on with fresh bodies, till at last, after an action of seven or eight hours' continuance, they broke through, in a place where there was such a body of German and Spanish horse, that the army on no side was thought less in danger. These troops gave way ; and so the French carried the honour of the day, and were masters both of the king's camp and cannon : but the king passed the river, and cut the bridges, and lay secure out of reach. He had supported the whole action with so much courage, and so true a judgment, that it was thought he got more honour that day than even when he triumphed at the Boyne. He charged himself in several places ; many were shot round about him with the enemy's cannon : one musket-shot carried away part of his scarf, and another went through his hat, without doing him any harm. The French lost so many men, and suffered so much in the several onsets they had made, that they were not able to pursue a victory, which cost them so dear. We lost in all about seven thousand ; and among these there was scarce an officer of note ; only the count de Solms had his leg shot off by a cannon ball, of which he died in a few hours. By all the accounts that came from France, it appeared that the French had lost double the number, with a vastly greater proportion of officers. The king's behaviour, during the battle, and in the retreat, was much magnified by the enemy, as well as by his own side. The king of France was reported to have said upon it, that Luxembourg's behaviour was like the prince of Condé's, but the king's like M. Turenne's. His army was, in a few days, as strong as ever, by recalling the duke of Wirtemberg, and the battalions he had sent to Liege, and some other bodies that he drew out of garrisons. And the rest of the campaign passed over, without any other action ; only at the end of it, after the king had left the army, Charleroi was besieged by the French : the country about it had been so eat up, that it was not possible to subsist an army that might have been brought to relieve it : the garrison made a brave resistance, and held out a month, but it was taken at last.

Thus the French triumphed every where ; but their successes were more than balanced by two bad harvests, that came successively one after another ; they had also suffered much in their vintage ; so that they had neither bread nor wine. Great diligence was used to bring in corn from all parts ; and strict orders were given by that court, for regulating the price of it, and for furnishing their markets ; there was also a liberal distribution ordered by that king for the relief of the poor. But misery will be misery still, after all possible care to alleviate it. Great multitudes perished for want, and the whole kingdom fell into an extreme poverty ; so that all the pomp of their victories could not make them easy at home. They tried all possible methods for bringing about a general peace ; or if that failed, for a separate peace with some of the confederates ; but there was no disposition in

any of them to hearken to it; nor could they engage the northern crowns to offer their mediation. Some steps were indeed made, for they offered to acknowledge the present government of England; but in all other points their demands were still so high, that there was no prospect of a just peace till their affairs should have brought them to an humbler posture.

But while the campaign, in all its scenes, was thus unequal and various, the French, though much weaker at sea, were the most successful there; and though we had the superior strength, we were very unprosperous; and by our ill conduct we lost much, both in our honour and interest, on that element. The great difficulty that the French were under in their marine was, by reason of their two great ports, Brest and Toulon; and from the bringing their fleets together, and sending them back again. The danger they ran in that, and the delays that it put them under, were the chief occasions of their losses last year; but these were, in a great measure, made up to them now. We were sending a very rich fleet of merchant ships to the Mediterranean, which was valued at many millions; some of these had lain ready a year and a half, waiting for a convoy, but were still put off by new delays; nor could they obtain one after Russel's victory, though we were then masters at sea. They were promised a great one in winter. The number of the merchant ships did still increase; so that the convoy, which was at first designed, was not thought equal to the riches of the fleet, and to the danger they might run by ships that might be sent from Toulon to intercept them. The court of France was watching this carefully; a spy among the jacobites gave advice, that certain persons sent from Scotland to France, to shew with how small a force they might make themselves masters of that kingdom, had hopes given them for some time: upon which several military men went to Lancashire and Northumberland, to see what could be expected from thence, if commotions should happen in Scotland. But in February the French said they could not do what was expected; and the Scotch agents were told that they were obliged to look after the Smyrna fleet, which they reckoned might be of more consequence than even the carrying Scotland could be. The fleet was ready in February, but new excuses were again made; for it was said, the convoy must be increased to twenty men of war; Rook was to command it: a new delay was likewise put in, on the pretence of staying for advice from Toulon, whether the squadron that was laid up there was to lie in the Mediterranean this year, or to come about to Brest. The merchants were very uneasy under those delays, since the charge was likely to eat up the profit of the voyage; but no dispatch could be had; and very probable reasons were offered to justify every new retardment. The French fleet had gone early out of Toulon, on design to have destroyed the Spanish fleet, which lay in the bay of Puzzolo; but they lay so safe there, that the French saw they could not succeed in any attempt upon them; afterwards they stood off to the coast of Catalonia, to assist their army, which was making some conquests there. Yet these were only feints to amuse and to cover their true design. The fleet at Brest sailed away from thence so suddenly, that they were neither completely manned nor victualled; and they came to Lagos Bay in Algarve. Tenders were sent after them, with the necessary complement of men and provisions: this sudden and unprovided motion of the French fleet looked as if some secret advice had been sent from England, acquainting them with our designs. But at the secretary's office, not only there was no intelligence concerning their fleet, but when a ship came in that brought the news of their having sailed from Brest, they were not believed. Our main fleet sailed out into the sea for some leagues with Rook, and the merchant ships; and when they thought they were out of danger, they came back. Rook was unhappy in that, which, upon any other occasion, would have been a great happiness: he had a fair and a strong gale of wind, so that no advice sent after him could overtake him; nor did he meet with any ships at sea that could give him notice of the danger that lay before him. He doubled the Cape of St. Vincent, and had almost fallen in with the French fleet, before he was aware of it. He dreamed of no danger but from the Toulon squadron, till he took a fire-ship; the captain whereof endeavoured to deceive him by a false story, as if there had been only fifteen men of war lying at Lagos, that intended to join D'Estrees. The merchants were for going on, and believed the information; they were confirmed in this by the disorder the French seemed to be in; for they were cutting their cables,

and drawing near the shore. The truth was, when they saw Rook's fleet, they apprehended by their numbers that the whole fleet of England was coming towards them; and indeed had they come so far with them, here was an occasion offered, which perhaps may not be found again in an age, of destroying their whole strength at sea. But as the French soon perceived their error, and were forming themselves into a line, Rook saw his error likewise, and stood out to sea, while the merchants fled, as their fears drove them; a great many of them sticking still close to him; others sailed to Cadiz, and some got to Gibraltar; and, instead of pursuing their voyage, put in there; some ships were burnt or sunk, and a very small number was taken by the French. They did not pursue Rook, but let him sail away to the Madeiras; and from thence he came, first to Kinsale, and then into England. The French tried what they could do upon Cadiz, but found that it was not practicable. They came next to Gibraltar, where the merchants sunk their ships, to prevent their falling into their hands; from thence they sailed along the coast of Spain, and burnt some English and Dutch ships that were lying at Malaga, Alicant, and in some other places. They hoped to have destroyed the Spanish fleet; but they put in at Port Mahon, where they were safe. At length, after a very glorious campaign, the French came back to Toulon. It is certain, if Tourville had made use of all his advantages, and had executed the design, as well as it was projected, he might have done us much mischief: few of our men-of-war, or merchantmen, could have got out of his hands. The loss fell heaviest on the Dutch; the voyage was quite lost, and the disgrace of it was visible to the whole world, and very sensible to the trading part of the nation.

The appearances were such, that it was generally surmised our counsels were betrayed. The secretary, that attended on the admirals, was much suspected, and charged with many things; but the suspicions rose high even as to the secretary of state's office. It was said, that our fleet was kept in port till the French were laid in their way, and was then ordered to sail, that it might fall into their hands. Many particulars were laid together, which had such colours, that it was not to be wondered at, if they created jealousy, especially in minds sufficiently prepared for it. Upon enquiry, it appeared, that several of those, who, for the last two years, were put in the subaltern employments, through the kingdom, did upon many occasions shew a disaffection to the government, and talked and acted like enemies. Our want of intelligence of the motions of the French, while they seemed to know every thing that we either did, or designed to do, cast a heavy reproach upon our ministers, who were now broken so in pieces, that they acted without union or concert: every one studied to justify himself, and to throw the blame on others; a good share of this was cast on the earl of Nottingham: the marquis of Caermarthen was much suspected; the earl of Rochester began now to have great credit with the queen, and seemed to be so violently set against the whigs, that they looked for dreadful things from him, if he came again to govern; for, being naturally warm, and apt to heat himself in company, he broke out into sallies, which were carried about, and began to create jealousies, even of the queen herself.

I was in some sort answerable for this; for, when the queen came into England, she was so possessed against him, that he tried all his friends and interest in the court, to be admitted to clear himself, and to recover her favour, but all in vain; for they found her so alienated from him, that no person would undertake it. Upon that he addressed himself to me: I thought that, if he came into the service of the government, his relation to the queen would make him firm and zealous for it: and I served him so effectually, that the queen laid aside all her resentments, and admitted him, by degrees, into a high measure of favour and confidence\*. I quickly saw my error; and he took pains to convince me effectually of it; for

\* Some of the harshest treatment Dr. Burnet met with in the two former reigns, had passed through the hands of the earl of Rochester; no two men ever differed more widely in their principles, both in church and state; yet the first good offices done that earl, with the king and queen (after all other applications for introduction had failed), their entire reconciliation to him, and the first advantages he reaped in consequence of that reconciliation, were owing to our author. And when the earl of Cla-

rendon was afterwards unhappily engaged in the conspiracy against the government, in 1690, and some hotter whigs were for the severest methods, the bishop became a hearty and successful advocate in his favour. These matters are but cursorily mentioned in the history, but will more fully appear from the four following original letters; the first, written by the countess of Ranelagh; the other three by the earl of Rochester himself:—



he was no sooner possessed of her favour, than he went into an interest, very different from what I believed he would have pursued. He talked against all favour to dissenters, and for

" My lord,

" Your lordship knows that by my lord Rochester's desiring me to help him to thank you for your forwardness to do him favours with their majesties (out of the sense he had, that he ought to be more grateful for them, because he had not at all deserved them from your lordship), he had informed me, that you had done him such favours; and when, pursuant to his desire, I began to give you humble thanks for him (who is a person in whom I can be very sensibly obliged) I told your lordship I was pleased in paying this duty, as much upon your account, as upon his lordship's, as having attempted to conquer him by weapons, fit to be used by one of your profession and character; and I hoped he might be advantaged, as well by being gained by you, as by reaping good fruits of your mediation with their majesties. And now I present your lordship, in the enclosed, with what appears to me an evidence, that my hopes of his making ingenuous returns, for your generous advances towards a friendship with him, were not groundless; since he would sure never have pitched upon you, to manage an application of his about an interest wherein the visible subsistence of his family is so deeply concerned, if he did not firmly believe the reality of your intentions towards him; though he have no merits of his towards you, or any thing else, but your Christian beginnings towards him, to build that faith upon. Nor can he, in my poor opinion, give you a clearer proof of his being already overcome by you, than in choosing you to be the person to whom he would in such an interest be obliged; since he thereby puts himself upon the peril of being faithfully yours, or a very unthankful man; which I do so much assure myself he will not be, that I humbly beg your lordship to put this obligation upon him, to perfect what you have already begun to do for him, of a like nature, and to the same royal person: who would not, I think, act unbecomingly herself, nor the eminent station God has placed her in, in assisting five innocent children, who have the honour to be related to her royal mother, who did still, with great tenderness, consider her own family, when she was most raised above it; especially when, in assisting them, her majesty will need only to concern herself, to preserve a property made theirs by the law of England, which as queen of this kingdom she is obliged to maintain.

" I send your lordship my lord Rochester's letter to me, that you may see he has thoughts that justify what I have said here for him, and has expressed them much better than I can do: so that as an argument to gain your pardon, for this confused scribble of mine, I present you with his good writing. I am,

" Your lordship's humble and affectionate servant,  
" July 13th, 1689. " K. RANELAGH."

" My Lord,

" The good offices, your lordship has told me, you have endeavoured to do me with the queen, of your own accord and generosity, incline me to be desirous to be obliged to your lordship, for the favour of presenting the enclosed petition to her majesty. Your lordship will see, by the reading it, the occasion and the subject of it; and I am sure I need not suggest any thing to your own kind thoughts to add at the delivery of it, save only this, which I thought not proper to touch in the petition, that I have certainly as good a title in law to it as any man has to any thing he possesses; as likewise that the pension is appropriated, to be paid out of a part of the revenue, which never was designed by any act of parliament, for any public use of the government; which I think has some-

thing of weight and reason to distinguish it from those pensions that are placed on the more public branches of the revenue.

" I know not whether the queen can do me any good in this affair, but I will believe her majesty cannot but wish she could; however, I think I should have been very wanting to my children if I had not laid this case most humbly before her majesty; lest at one time or other she herself might say, I had been too negligent in not making applications to her; which having now done, I leave the rest, with all possible submission, to her own judgment, and to the reflections, that some good-natured moments may incline her to make towards my family. I should say a great deal to your lordship, for my own confidence, in addressing all this to your lordship, some passages of my life having been such as may very properly give it that name: but, I think, whatever you would be content to hear on that subject will be better expressed by the person, who does me the honour to deliver this to your lordship, from

" My lord,

" Your lordship's most obedient servant,  
" July 13, 1689. " ROCHESTER."

" My lord,

" Upon what account soever it is, that your lordship is pleased to let me hear from you, I take it to be something of good fortune, whatsoever ill cause there may be in it too. Therefore I humbly thank your lordship for the honour of yours of the 18th from Salisbury; which was sent me to this pretty place, where I love to be, as much as you do at your palace; and though I cannot do so much good to others as your lordship does there to all that are near you, yet I do more to myself than I can do any where else. *Quid sentire putas, quid credis, amice, precari? Sit mihi quod nunc est, etiam minus, ut mihi vivam quod superest avi.* Forgive this transgressional rapture, and receive my thanks, which I pay your lordship again, for your kind letter. For indeed I do take it very kindly, that you were so much concerned, as to give me a kind hint of that unseasonable discourse you came to be acquainted with when you were last in London; I will make the best use of it I can, to prevent the like for the future, if I have any credit. And in the mean time I must make use of this opportunity to calm and soften your resentments, towards this friend of mine, as you call him in the beginning of your letter. I will allow you as a servant to the king and queen, and a subject to their crown, to have as great a detestation of the contrivance, as you can wish; and upon my word, I can accompany you in it. But when I consider you, as once you were, a concerned friend of this lord, to have a respect for his family, and particularly for my father, who lost not only all the honours and preferments of this world, but even the comforts of it too, for the integrity and uprightness of his heart: you must forgive me, if I conjure you, by all that's sacred in this generation in which we live together, by the character that you bear, and by the religion you profess, that you do not (as much as in you lies) suffer this next heir of my good father's name and honour, to go down with sorrow to the grave. I would not flatter myself that your lordship should be moved with any fondness of mine, to endeavour to bring to pass, what is not fit for a wise and a good man to propose; that would be to make a very ill use of your friendship to me, and I would rather be corrected myself in my own desires, than expose your lordship on such an account. But I hope that they, who are the supreme directors of this matter

setting up the notions of persecution and violence, which he had so much promoted in king Charles's time, and professed himself an enemy to the present bishops, and to the methods they were taking, of preaching and visiting their dioceses, of obliging the clergy to attend more carefully to their functions, and of endeavouring to gain the dissenters by gentle and calm methods.

The king had left the matters of the church wholly in the queen's hands. He found he could not resist importunities which were not only vexatious to him, but had drawn preferments from him, which he came soon to see were ill bestowed; so he devolved that care upon the queen, which she managed with strict and religious prudence. She declared openly against the preferring of those who put in for themselves, and took care to inform herself particularly of the merits of such of the clergy as were not so much as known at court, nor using any methods to get themselves recommended; so that we had reason to hope, that, if this course should be long continued, it would produce a great change in the church, and in the temper of the clergy. She consulted chiefly with the archbishop of Canterbury, whom she favoured and supported in a most particular manner. She saw what need there was of it; for a party was formed against him, who set themselves to censure every thing he did. It was a melancholy thing to consider that, though we never saw an archbishop before him apply himself so entirely, without partiality or bias, to all the concerns of the church and religion, as he did; and that the queen's heart was set on promoting them, yet such an evil spirit should seem to be let loose upon the clergy. They complained of every thing that was done, if it was not in their own way; and the archbishop bore the blame of all. He did not enter into any close correspondence, or the concerting measures with the ministry, but lived much abstracted from them; so they studied to depress him all they could. This made a great impression upon him. He grew very uneasy in his great post: we were all soon convinced, that there was a sort of clergymen among us that would never be satisfied, as long as the toleration was continued; and they seemed resolved to give it out, that

under God, may in their great wisdom and goodness judge, that it may prove as much to their honour and safety too, to pass over this particular, as if they should pursue the strictest measures of justice in it. Though I am a brother, if I did not, upon the greatest reflection I can make, think I should be of the same opinion, if I were none, I would not press this matter upon you. For I cannot but think, that the queen would do, and would be glad to avow it too, a very great thing for the memory of that gentleman, so long in his grave. It is upon this account I am begging of your lordship to do all that's possible, to preserve every part and branch and member of his family, from the least transient stain of infamy and reproach. And if God was prevailed with by Abraham, to have saved a whole city for the sake of ten righteous men, I hope there may be as charitable an inclination to spare the *débris* of our broken family, for the sake of him who was the raiser of it.

"I ask your lordship's pardon for being thus importunate; for I have great need of your help, and I hope I shall have it from you. Losses of many and good friends I have borne, and submitted with patience to the pleasure of Almighty God; but a calamity of this nature, that I now deprecate, has in it something so frightful, and on some accounts so unnatural, that I beg you for God's sake, from an angry man yourself, grow an advocate for me and for the family on this account. I am ever,

"My lord,

"Your lordship's most faithful humble servant,

"ROCHESTER.

"New Park, March 21st, 1690-91."

"My lord,

"I was warm, I confess, in the last letter I gave your lordship the trouble of, and I thank you for reproving the vehemence of my style, in your last of the twenty-eighth; I am grown cooler, and acknowledge my fault; neither

did I commit it with an apprehension that your lordship was inexorable, or that it would be so much as needful to desire your assistance in that matter. But you may remember, you had used a word to me, when you were here, an *attainder*, that I acknowledge sounded very harsh to me, and when I had reflected a little more upon it, as likewise that your lordship did not use to speak by chance, and consequently that you had good ground for what you said, I own it heated me all over, which made me express my thoughts to you with more transport than was fit, and I will say no more of them, for fear of running into new excesses. What your lordship proposes for my lord Clarendon to desire, is perfectly agreeable to my mind; but I know not, whether it be not a little too early, and that such a petition might be presented with a better grace, if he were once out of the Tower upon bail, than it would be while he is under this close confinement. But as your lordship says, the affair of Mona must for the present put a stop to every man's private thoughts, for that is a matter of such vast importance to the public, that it is but very fit, that all particular considerations should give way to it, and wait the determination of that great point: I cannot but believe the French are masters of it before now, because all the letters that came by the last post, that I could hear of, looked upon it as a thing impracticable to relieve it, but we have had no letters since Saturday. What the French will do next, whether send their men into quarters for two months, or try to follow their blow, is what men are now most anxious about. One of my old friends, with whom of late I have renewed my acquaintance, says upon all these mighty occasions, '*Prudens futuri temporis exitum Caliginosa nocte premit Deus Ridetque si mortalis ultra Fas trepidat.*' But I confess to you I cannot be quite so overcome with philosophy, as not to be concerned beforehand, at what this dark night is to bring forth."

the church was in danger, till a prosecution of dissenters should be again set on foot; nor could they look at a man with patience, or speak of him with temper, who did not agree with them in these things. The bishops fell under the displeasure of the whigs by the methods they took, not only of protecting, but of preferring some of these men, hoping by that means both to have softened them and their friends; but they took their preferments as the rewards that they supposed were due to their merit; and they employed the credit and authority which their preferments brought them, wholly against those to whom they owed them. The whigs were much turned against the king; and were not pleased with those who had left them, when they were so violent in the beginning of this reign; and it was a hard thing, in such a divided time, to resolve to be of no party, since men of that temper are pushed at by many, and protected by no side. Of this we had many instances at that time; and I myself had some very sensible ones; but they are too inconsiderable to be mentioned. In this bad state we were, when a session of parliament came on with great apprehensions, occasioned by our ill success, and by the king's temper, which he could no way constrain, or render more complaisant, but chiefly from the disposition of men's minds, which was practised on with great industry by the enemies of the government, who were driving on jealousies daily.

A parliament had been summoned in Ireland by the lord Sidney; but they met full of discontent, and were disposed to find fault with every thing: and there was too much matter to work upon; for the lord lieutenant was apt to excuse or justify those who had the address to insinuate themselves into his favour; so that they were dismissed before they brought their bills to perfection. The English in Ireland thought the government favoured the Irish too much; some said this was the effect of bribery, whereas others thought it was necessary to keep them safe from the prosecutions of the English, who hated them, and were much sharpened against them. The protecting the Irish was indeed in some sort necessary, to keep them from breaking out, or from running over to the French: but it was very plain that the Irish were Irish still, enemies to the English nation, and to the present government; so that all kindness shewed them beyond what was due in strict justice, was the cherishing an inveterate enemy. There were also great complaints of an ill administration, chiefly in the revenue, in the pay of the army, and in the embezzling of stores. Of these much noise was made in England, which drew addresses from both houses of parliament to the king, which were very invidiously penned; every particular being severely aggravated. So the king called back the lord Sidney, and put the government of Ireland into three lords justices; lord Capel, brother to the earl of Essex, sir Cyril Wyche, and Mr. Duncomb. When they were sent from court, the queen did very earnestly recommend to their care, the reforming of many disorders that were prevailing in that kingdom; for, neither had the late destructive war, out of which they were but beginning to recover themselves, nor their poverty, produced those effects, that might have been well expected.

The state of Ireland leads me to insert here a very particular instance of the queen's pious care in the disposing of bishoprics: lord Sidney was so far engaged in the interest of a great family of Ireland, that he was too easily wrought on to recommend a branch of it to a vacant see. The representation was made with an undue character of the person: so the queen granted it. But when she understood that he lay under a very bad character, she wrote a letter, in her own hand, to lord Sidney, letting him know what she had heard, and ordered him to call for six Irish bishops, whom she named to him, and to require them to certify to her their opinion of that person: they all agreed that he laboured under an ill fame; and, till that was examined into, they did not think it proper to promote him; so that matter was let fall. I do not name the person; for I intend not to leave a blemish on him; but set this down as an example, fit to be imitated by Christian princes.

Another effect of the queen's pious care of the souls of her people was finished this year, after it had been much opposed, and long stopped. Mr. Blair, a very worthy man, came over from Virginia, with a proposition for erecting a college there. In order to which, he had set on foot a voluntary subscription, which arose to a great sum; and he found out some branches of the revenue there that went all into private hands, without being brought into any public account, with which a free-school and college might be well endowed. The English



born there were, as he said, capable of every thing, if they were provided with the means of a good education ; and a foundation of this kind in Virginia, that lay in the middle, between our southern and northern plantations, might be a common nursery to them all ; and put the people born there in a way of further improvement. Those concerned in the management of the plantations had made such advantages of those particulars, out of which the endowment was to be raised, that all possible objections were made to the project, as a design that would take our planters off from their mechanical employments, and make them grow too knowing to be obedient and submissive. The queen was so well pleased with the design, as apprehending the very good effects it might have, that no objection against it could move her : she hoped it might be a means of improving her own people, and of preparing some to propagate the gospel among the natives ; and therefore, as she espoused the matter with a particular zeal, so the king did very readily concur with her in it. The endowment was fixed, and the patent was passed for the college called, from the founders, the William and Mary College.

Affairs in Scotland grew more and more out of joint. Many whom the king had trusted in the ministry there, were thought enemies to him and his government ; and some took so little care to conceal their inclinations, that, when an invasion was looked for, they seemed resolved to join in it. They were taken out of a plot, which was managed by persuading many to take oaths to the government, on design to betray it ; and were now trusted with the most important posts. The presbyterians began to see their error, in driving matters so far, and in provoking the king so much ; and they seemed desirous to recover his favour, and to manage their matters with more temper. The king came likewise to see that he had been a little too sudden in trusting some who did not deserve his confidence. Duke Hamilton had for some years withdrawn from business ; but he was now prevailed with to return to council ; many letters were intercepted between France and Scotland ; in those from Scotland, the easiness of engaging that nation was often repeated, if no time were lost ; it seemed therefore necessary to bring that kingdom into a better state.

A session of parliament was held there, to which duke Hamilton was sent as the king's commissioner ; the supplies that were asked were granted ; and now the whole presbyterian party was again entire in the king's interest ; the matters of the church were brought to more temper than was expected : the episcopal clergy had more moderate terms offered them ; they were only required to make an address to the general assembly, offering to subscribe to a confession of faith, and to acknowledge presbytery to be the only government of that church, with a promise to submit to it ; upon which, within a fortnight after they did that, if no matter of scandal was objected to them, the assembly was either to receive them into the government of the church, or, if they could not be brought to that, the king was to take them into his protection, and maintain them in their churches, without any dependence on the presbytery. This was a strain of moderation that the presbyterians were not easily brought to ; a subscription that owned presbytery to be the only legal government of that church, without owning any divine right in it, was far below their usual pretensions. And this act vested the king with an authority, very like that which they were wont to condemn as Erastianism. Another act was also passed, requiring all in any office in church or state, to take, besides the oath of allegiance, a declaration called the assurance, owning the king and queen to be their rightful and lawful sovereigns, and promising fidelity to them against king James, and all his adherents. The council was also empowered to tender these, as they should see cause for it, and to fine and imprison such as should refuse them. When the session was near an end, Nevil Payne was brought before the parliament, to be examined, upon the many letters that had been intercepted. There was a full evidence against him in many of his own letters ; but he sent word to several of the lords, in particular to duke Hamilton, that as long as his life was his own, he would accuse none ; but he was resolved he would not die ; and he could discover enough to deserve his pardon. This struck such terror into many of them, whose sons or near relations had been concerned with him, that he moving for a delay, on a pretence of some witnesses that were not then at hand, a time was given him beyond the continuance of the session ; so he escaped, and that enquiry was stifled. The session ended calmly ; but the king seemed to have forgotten Scotland so entirely, that

he let three months go over before he took notice of any of their petitions ; and, though he had asked, and had supplies for an augmentation of forces, and many had been gained to consent to the tax, by the hope of commissions in the troops that were to be levied ; yet the king did not raise any new ones, but raised the supply, and applied it to other uses : this began again to raise an ill humour, that had been almost quite laid down, in the whole course of this session, which was thought a reconciling one. The clergy let the day prefixed, for making their submission to the assembly, slip, and did not take the oaths ; so they could claim no benefit by the act that had been carried in their favour, not without some difficulty. And the law, that was intended to save them, did now expose them to ruin ; since by it, they, not taking the oaths, had lost their legal rights to their benefices. Yet they were suffered to continue in them, and were put in hope, that the king would protect them, though it was now against law. They were also made to believe, that the king did not desire that they should take the oaths, or make any submission to presbytery : and it is certain, that no public signification of the king's mind was made to them ; so they were easily imposed on by surmises and whispers ; upon this the distractions grew up afresh. Many concluded there, as well as in England, that the king's heart led him still to court his enemies, even after all the manifest reasons he had to conclude, that the steps they made towards him were only feigned submissions, to gain such a confidence as might put it in their power to deliver him up.

The earl of Middleton went over to France in the beginning of this year ; and it was believed he was sent by a great body among us, with a proposition, which, had he had the assurance to have made, and they the wisdom to have accepted, might have much increased our factions and jealousies. It was, that king James should offer to resign his title in favour of his son, and likewise to send him to be bred in England, under the direction of a parliament, till he should be of age ; but I could never hear that he ventured on this advice ; in another he succeeded better. When king James thought the invasion from Normandy, the former year, was so well laid, that he seemed not to apprehend it could miscarry, he had prepared a declaration, of which some copies came over. He promised nothing in it, and pardoned nobody by it ; but he spoke in the style of a conqueror, who thought he was master, and therefore would limit himself by no promises, but such as were conceived in general words, which might be afterwards expounded at pleasure. This was much blamed, even by his own party, who thought that they themselves were not enough secured by so loose a declaration : so the earl of Middleton, upon his going over, procured one of another strain, which, as far as words could go, gave all content ; for he promised every thing, and pardoned all persons. His party got this into their hands. I saw a copy of it, and they waited for a fit occasion to publish it to the nation.

We were also at this time alarmed with a negotiation, that the court of France was setting on foot at Madrid ; they offered to restore to the crown of Spain all that had been taken from it, since the peace of Munster, on condition that the duke of Anjou should be declared the heir of that crown, in default of issue by the king : the grandees of Spain, who are bred up to a disregard and contempt of all the world besides themselves, were inclinable to entertain this proposition ; though they saw that by so doing they must lose the house of Austria, the elector of Bavaria, and many of their other allies. But the king himself, weak as he was, stood firm and intractable ; and seemed to be as much set on watching their conduct, as a man of his low genius could possibly be. He resolved to adhere to the alliance, and to carry on the war, though he could do little more than barely resolve on it. The Spaniards thought of nothing but their intrigues at Madrid ; and for the management of the war, and all their affairs, they left the care of that to their stars, and to their allies.

The king came over to England in November ; he saw the necessity of changing both his measures and his ministers ; he expressed his dislike of the whole conduct at sea ; and named Russel for the command of the fleet next year ; he dismissed the earl of Nottingham, and would immediately have brought the earl of Shrewsbury again into the ministry : but when that lord came to him, he thought the king's inclinations were still the same that they had been for some years, and that the turn which he was now making was not from choice, but force ; so that went off, and the earl of Shrewsbury went into the country ; yet the king soon after sent for

him, and gave him such assurances, that he was again made secretary of state, to the general satisfaction of the whigs\*. But the person that had the king's confidence to the highest degree, was the earl of Sunderland, who, by his long experience and his knowledge of men and things, had gained an ascendant over him, and had more credit with him than any Englishman ever had: he had brought the king to this change of councils by the prospect he gave him of the ill condition his affairs were in, if he did not entirely both trust and satisfy those, who, in the present conjuncture, were the only party that both could and would support him. It was said, that the true secret of this change of measures was, that the tories signified to the king plainly, that they could carry on the war no longer, and that therefore he must accept of such a peace as could be had: this was the most pernicious thing that could be thought on, and the most contrary to the king's notions and designs; but they being positive, he was forced to change hands, and to turn to the other party; so the whigs were now in favour again, and every thing was done that was likely to put them in good humour. The commission of the lieutenancy for the city of London, on which they had set their hearts, much more perhaps than it deserved, was so altered, that the whigs were the superior number; and all other commissions over England were much changed. They were also brought into many places of trust and profit; so that the king put his affairs chiefly into their hands; yet so, that no tory who had expressed zeal or affection for the government was turned out. Upon this the whigs expressed new zeal and confidence in the king. All the money that was asked for the next year's expense was granted very readily.

Among other funds that were created, one was for constituting a bank, which occasioned great debates: some thought a bank would grow to be a monopoly. All the money of England would come into their hands, and they would in a few years become the masters of the stock and wealth of the nation. Others argued for it; that the credit it would have, must increase trade and the circulation of money, at least in bank notes. It was visible that all the enemies of the government set themselves against it, with such a vehemence of zeal, that this alone convinced all people, that they saw the strength that our affairs would receive from it. I had heard the Dutch often reckon up the great advantages they had from their banks; and they concluded that, as long as England continued jealous of the government, a bank could never be settled among us, nor gain credit enough to support itself: and upon that they judged that the superiority in trade must still lie on their side. This, with all the other remote funds that were created, had another good effect; it engaged all those who were concerned in them, to be, upon the account of their own interest, zealous for maintaining the government; since it was not to be doubted, but that a revolution would have swept all these away. The advantages that the king, and all concerned in tallics, had from the bank, were soon so sensibly felt, that all people saw into the secret reasons that made the enemies of the constitution set themselves with so much earnestness against it†.

The enquiry into the conduct at sea, particularly with relation to the Smyrna fleet, took up much time, and held long: great exceptions were taken to the many delays, by which it seemed a train was laid, that they should not get out of our ports till the French were ready to lie in their way, and intercept them. Our want of intelligence was much complained of: the instructions that the admirals, who commanded the fleet, had received from the cabinet council, were thought ill given, and yet worse executed; their orders seemed weakly drawn, ambiguous, and defective: nor had they shown any zeal in doing more than strictly to obey

\* It seems that, at their first interview, the earl of Shrewsbury was so dissatisfied with the king, that after an angry altercation, he left London for his seat in Oxfordshire. William, in his cooler moments, saw the importance of obtaining the earl's services, and employed the blandishments of the royal concubine, Elizabeth Villiers, afterwards countess of Orkney, and of the earl's favourite, Mrs. Loudee. Even these failed, and it was not until he saw that the king intended really to confide in the whig party, by appointing them to some of the chief offices, that he was persuaded to accept the secretary's seals.—See the Correspondence in Coxe's Shrewsbury Papers.

† The Bank of England was projected by Mr. W.

Paterson, a merchant. It was with extreme difficulty that he and his friends obtained a charter, which is dated July 27, 1694, and was granted only for twelve years, the corporation to be determinable on a year's notice. The original capital subscribed was 1,200,000*l.*, which they lent to the government at eight per cent. interest, and an allowance of 4,000*l.* annually for managing expenses. The difficulties this corporation has had to encounter, the important assistance it has afforded to our various administrations, and the great influence it has over our moneyed interests, are subjects of important and interesting consideration.



such orders: they had very cautiously kept within them, and had been very careful never to exceed them in a tittle; they had used no diligence to get certain information concerning the French fleet, whether it was still in Brest, or had sailed out; but in that important matter, they had trusted general and uncertain reports too easily; nor had they sailed with Rook, till he was past danger. To all this their answer was, that they had observed their orders: they had reason to think the French were still in Brest; that therefore it was not safe to sail too far from the coast of England when they had (as they understood) ground to believe, that they had left behind them a great naval force, which might make an impression on our coast, when they were at too great a distance from it; the getting certain intelligence from Brest, was represented as impracticable. They had many specious things to say in their own defence, and many friends to support them; for it was now the business of one party to accuse, and of another to justify that conduct. In conclusion, there was not ground sufficient to condemn the admirals, as they had followed their instructions; so a vote passed in their favour. The rest of the business of the session was managed both with dexterity and success; all ended well, though a little too late; for the session was not finished before the end of April. Prince Lewis of Baden came this winter to concert measures with the king: he stayed above two months in England, and was treated with very singular respects, and at a great expense.

The tories began in this session to obstruct the king's measures more openly than before; the earls of Rochester and Nottingham did it in the house of lords, with a peculiar edge and violence: they saw how great a reputation the fair administration of justice by the judges, and more particularly that equity, which appeared in the whole proceedings of the court of chancery, gave the government; therefore they took all occasions that gave them any handle to reflect on these. We had many sad declamations, setting forth the misery the nation was under, in so tragical a strain, that those who thought it was quite otherwise with us, and that under all our taxes and losses, there was a visible increase of the wealth of the nation, could not hear all this without some indignation.

The bishops had their share of ill humour vented against them; it was visible to the whole nation that there was another face of strictness, of humility and charity among them, than had been ordinarily observed before: they visited their dioceses more; they confirmed and preached oftener than any who had in our memory gone before them; they took more care in examining those whom they ordained, and in looking into the behaviour of their clergy, than had been formerly practised: but they were faithful to the government, and zealous for it; they were gentle to the dissenters, and did not rail at them, nor seem uneasy at the toleration. This was thought such a heinous matter, that all their other diligence was despised; and they were represented as men who designed to undermine the church, and to betray it.

Of this I will give one instance; the matter was of great importance; and it occasioned great and long debates in this, and in the former session of parliament; it related to the duke of Norfolk, who had proved his wife guilty of adultery, and did move for an act of parliament, dissolving his marriage, and allowing him to marry again. In the later ages of popery, when marriage was reckoned among the sacraments, an opinion grew to be received, that adultery did not break the bond, and that it could only entitle to a separation, but not such a dissolution of the marriage, as gave the party that was injured a right to marry again: this became the rule of the spiritual courts, though there was no definition made about it before the council of Trent. At the time of the reformation, a suit of this nature was prosecuted by the marquis of Northampton; the marriage was dissolved, and he married a second time: but he found it necessary to move for an act of parliament to confirm this subsequent marriage. In the reformation of the ecclesiastical laws, that was prepared by Cranmer and others, in king Edward's time, a rule was laid down, allowing of a second marriage, upon a divorce for adultery. This matter had lain asleep above an hundred years, till the present duke of Rutland, then lord Roos, moved for the like liberty. At that time a sceptical and libertine spirit prevailed, so that some began to treat marriage only as a civil contract, in which the parliament was at full liberty to make what laws they pleased; and most of king Charles's courtiers applauded this, hoping by this doctrine that the king might be divorced from the queen. The greater part of the bishops, apprehending the consequence

that lord Roos's act might have, opposed every step that was made in it; though many of them were persuaded, that in the case of adultery, when it was fully proved, a second marriage might be allowed. In the duke of Norfolk's case, as the lady was a papist, and a busy Jacobite, so a great party appeared for her. All that favoured the Jacobites and those who were thought engaged in lewd practices, espoused her concern with a zeal that did themselves little honour. Their number was such, that no progress could be made in the bill, though the proofs were but too full, and too plain. But the main question was, whether supposing the matter fully proved, the duke of Norfolk should be allowed a second marriage? The bishops were desired to deliver their opinions, with their reasons: all those who had been made during the present reign, were of opinion, that a second marriage in that case was lawful, and conformable, both to the words of the gospel, and to the doctrine of the primitive church; and that the contrary opinion was started in the late and dark ages. But all the bishops that had been made by the two former kings, were of another opinion, though some of them could not well tell why they were so. Here was a colour for men, who looked at things superficially, to observe that there was a difference of opinion, between the last made bishops, and those of an elder standing; from which they inferred, that we were departing from the received doctrine of our church; and upon that topic, the earl of Rochester charged us very vehemently. The bill was let fall at this time: nor was the dispute kept up, for no books were written on the subject of either side.

The king went beyond sea in May; and the campaign was opened soon after. The armies of both sides came very near one another: the king commanded that of the confederates, as the dauphin did the French. They lay between Brussels and Liege; and it was given out, that they intended to besiege Maestricht: the king moved towards Namur, that he might either cut off their provisions, or force them to fight; but they were resolved to avoid a battle; so they retired likewise, and the campaign passed over in the ordinary manner; both of them moving and watching one another. The king sent a great detachment to break into the French country at Pont Esperies; but though the body he sent had made a great advance, before the French knew any thing of their march, yet they sent away their cavalry with so much haste, and in so continued a march, that they were possessed of the pass before the body the king had sent could reach it; whereby they gained their point, though their cavalry suffered much. This design failing, the king sent another body towards Huy, who took it in a few days. It was become more necessary to do this, for the covering of Liege, which was now much broken into faction; their bishop was dead, and there was a great division in the chapter; some were for the elector of Cologne, and others were for the elector Palatine's brother; but that for the elector of Cologne was the stronger party, and the court of Rome judged in their favour. The differences between that court and that of Versailles, were now so far made up, that the bulls for the bishops, whom the king had named to the vacant sees, were granted, upon the submission of all those who had been concerned in the articles of 1682; yet after all that reconciliation, the real inclinations of the court of Rome lay still towards the confederates: the alliance that France was in with the Turk, was a thing of an odious sound at Rome. The taking of Huy covered Liege; so that they were both safer and quieter. The confederates, especially the English and the Dutch, grew weary of keeping up vast armies, that did nothing else, but lay for some months advantageously posted, in view of the enemy, without any action.

On the Rhine, things went much in the usual manner; only at the end of the campaign, the prince of Baden passed the Rhine, and raised great contributions in Alsace, which the French suffered him to do, rather than hazard a battle. There was nothing of any importance done on either side in Piedmont; only there appeared to be some secret management between the court of France, and that of Turin, in order to a peace; it was chiefly negotiated at Rome, but was all the while denied by the duke of Savoy.

In Catalonia, the Spaniards were beat off from some posts, and Gironne was taken; nor was Barcelona in any condition to have resisted, if the French had set down before it. The court of Madrid felt their weakness, and saw their danger so visibly, that they were forced to implore the protection of the English fleet. The French had carried the best part of their naval force into the Mediterranean, and had resolved to attack Barcelona, both by sea and

land, at the same time ; and, upon their success there, to have gone round Spain, destroying their coasts every where. All this was intended to force them to accept the offers the French were willing to make them ; but to prevent this, Russel was ordered to sail into the Mediterranean with a fleet of threescore great ships. He was so long stopt in his voyage by contrary winds, that the French, if they had pursued their advantages, might have finished the conquest of Catalonia ; but they resolved not to hazard their fleet ; so it was brought back to Toulon, long before Russel could get into the Mediterranean, which was now left entirely free to him. But it was thought that the French intended to make a second attempt, in the end of the year, as soon as he should sail back to England : so it was proposed, that he might lie at Cadiz all the winter. This was an affair of that importance, that it was long and much debated, before it was resolved on. It was thought a dangerous thing to expose the best part of our fleet, so much as it must be, while it lay at so great a distance from us, that convoys of stores and provisions might easily be intercepted ; and indeed, the ships were so low in their provisions, when they came back to Cadiz (the vessels that were ordered to carry them having been stopped four months in the channel by contrary winds) that our fleet had not then above a fortnight's victuals on board ; yet when the whole matter was thoroughly canvassed, it was agreed, that our ships might both lie safe, and be well careened at Cadiz : nor was the difference in the expense, between their lying there, and in our own ports, considerable. By our lying there, the French were shut within the Mediterranean ; so that the ocean and their coasts were left open to us. They were in effect shut up within Toulon ; for they, having no other port in those seas but that, resolved not to venture abroad ; so that now we were masters of the seas every where. These considerations determined the king to send orders to Russel, to lie all the winter at Cadiz ; which produced very good effects. The Venetians and the great duke had not thought fit to own the king till then. A great fleet of stores and ammunition, with all other provisions for the next campaign, came safe to Cadiz ; and some clean men of war were sent out, in exchange for others, which were ordered home.

But while we were very fortunate in our main fleet, we had not the like good success in an attempt that was made on Camaret, a small neck of land that lies in the mouth of the river of Brest, and would have commanded that river, if we could have made ourselves masters of it. Talmash had formed the design of seizing on it ; he had taken care to be well informed of every thing relating to it : six thousand men seemed to be more than were necessary for taking and keeping it. The design, and the preparations for it, were kept so secret, that there was not the least suspicion of the project, till the hiring transport ships discovered it. A proposition had been made of this two years before to the earl of Nottingham, who, among other things, charged Russel with it, that this had been laid before him by men that came from thence, but that he had neglected it. Whether the French apprehended the design from that motion, or whether it was now betrayed to them, by some of those who were in the secret, I know not : it is certain, that they had such timely knowledge of it, as put them on their guard. The preparations were not quite ready by the day that was settled ; and, when all was ready, they were stopt by a westerly wind for some time ; so that they came thither a month later than was intended. They found the place was well fortified by many batteries, that were raised in different lines upon the rocks, that lay over the place of descent ; and great numbers were there ready to dispute their landing. When our fleet came so near as to see all this, the council of officers were all against making the attempt ; but Talmash had set his heart so much upon it, that he could not be diverted from it.

He fancied the men they saw were only a rabble brought together to make a show, though it appeared very evidently that there were regular bodies among them, and that their numbers were double to his. He began with a landing of six hundred men, and put himself at the head of them. The men followed him with great courage, but they were so exposed to the enemies' fire, and could do them so little harm, that it quickly appeared it was needlessly throwing away the lives of brave men to persist longer in so desperate an undertaking. The greatest part of those who landed were killed or taken prisoners, and not above an hundred of them came back. Talmash himself was shot in the thigh, of which he



died in a few days, and was much lamented ; for he was a brave and generous man, and a good officer, very fit to animate and encourage inferior officers and soldiers ; but he was much too apt to be discontented, and to turn mutinous ; so that upon the whole, he was one of those dangerous men that are capable of doing as much mischief as good service. Thus that design miscarried, which, if it had been undertaken at any time before the French were so well prepared to receive us, might have succeeded, and must have had great effects \*.

Our fleet came back to Plymouth ; and after they had set the land forces ashore, being well furnished with bomb-vessels and ammunition; they were ordered to try what could be done on the French coast †. They lay first before Dieppe, and burned it almost entirely to the ground. They went next to Havre de Grace, and destroyed a great part of that town. Dunkirk was the place of the greatest importance : so that attempt was long pursued in several ways, but none of them succeeded. These bombardings of the French towns soon spread a terror among all that lived near the coast : batteries were every where raised, and the people were brought out to defend their country : but they could do us no hurt, while our bombs at a mile's distance did great execution. The action seemed inhuman ; but the French, who had bombarded Genoa without a previous declaration of war, and who had so often put whole countries under military execution, even after they had paid the contributions that had been laid on them (for which they had protection given them), had no reason to complain of this way of carrying on the war, which they themselves had first begun.

The campaign ended every where to the advantage of the confederates, though no signal success had happened to their arms : and this new scene of action at sea raised the hearts of our people, as much as it sunk our enemies. The war in Turkey went on this year with various success : the Venetians made themselves masters of the isle of Scio, the richest and the best peopled of all the islands of the Archipelago : those of that island had a greater share of liberty left them, than any subjects of the Ottoman empire, and they flourished accordingly. The great trade of Smyrna that lay so near them, made them the more considerable. The Venetians fortified the port, but used the natives worse than the Turks had done : and as the island had a greater number of people upon it than could subsist by the productions within themselves, and the Turks prohibited all commerce with them from Asia, from whence they had their bread ; the Venetians could not keep this possession, unless they had carried off the greatest part of the inhabitants to the Morea, or their other dominions, that wanted people. The Turks brought their whole power at sea together, to make an attempt for recovering this island : two actions happened at sea, within ten days one of another ; in the last of which the Venetians pretended they had got a great victory : but their abandoning Scio, in a few days after, showed that they did not find it convenient to hold that island, which obliged them to keep a fleet at such a distance from their other dominions, and at a charge which the keeping the island could not balance. The Turks sent, as they did every year, a great convoy to Caminieck, guarded by the Crim-Tartars. The Polish army routed the convoy, and became masters of all the provisions ; but a second convoy was more happy, and got into the place ; otherwise it must have been abandoned. There was great distraction in the affairs of Poland : their queen's intrigues with the court of France gave much jealousy : their diets were broken up in confusion ; and they could never agree so far in the preliminaries, as to be able by their forms to do any business. In Transylvania, the emperor had, after a long blockade, forced Giula to surrender ; so that the Turks had now nothing in those parts, on the north of the Danube, but Temeswaer. The grand vizier came into Hungary with a great army, while the emperor had a very small one to oppose him. If the Turks had come on resolutely, and if the weather had continued good, it might have brought a fatal reverse on all the imperial affairs, and retrieved all that

\* There appears no cause to wonder at the failure of this expedition. It had been the common topic of conversation in London for a month before it sailed, so that the enemy were quite prepared to oppose us. Then there was considerable confusion in landing from the boats, so that Talmaah could only land with nine hundred

infantry, who were immediately charged and cut to pieces by the French horse—*Shrewsbury Correspondence* ; *Coxe's Life of Marlborough* ; *Tindal's Contin. of Rapin's History*.

† This expedition was at the king's express desire. See his letter, "*Shrewsbury Correspondence*," p. 44.

the Turks had lost. But the grand vizier lay still, while the emperor's army increased, and such rains fell that nothing could be done. The affairs of Turkey were thus in great disorder: the grand seignior died soon after; and his successor in that empire gave his subjects such hopes of peace, that they were calmed for the present.

At the end of the campaign, the court of France flattered their people with hopes of a speedy end of the war: and some men of great consideration were sent to try what terms they could bring the empire or the states to: but the French were yet far from offering conditions, upon which a just or a safe peace could be treated of. The States sent some as far as to Maestricht, to see what powers those sent from France had brought with them, before they would grant them the passports that they desired: and when they saw how limited these were, the negotiation was soon at an end; or rather it never began. When the French saw this, they disowned their having sent any on such an errand; and pretended that this was only an artifice of the confederates to keep one another and their people in heart, by making them believe that they had now only a small remnant of the war before them, since the French had instruments every where at work to solicit a peace.

The king came to England in the beginning of November, and the parliament was opened with a calmer face than had appeared in any session during this reign. The supplies that were demanded, the total amounting to five millions, were all granted readily. An ill humour indeed appeared in some who opposed the funds, that would most easily and most certainly raise the money that was given, upon this pretence, that such taxes would now to be a general excise; and that the more easily money was raised, it would be the more easy to continue such duties to a longer period, if not for ever. The truth was, the secret enemies of the government proposed such funds as would be the heaviest to the people, and would not fully answer what they were estimated at; that so the nation might be uneasy under that load, and that a constant deficiency might bring on such a debt, that the government could not discharge, but must sink under it.

With the supply bills, as the price or bargain for them, the bill for frequent parliaments went on: it enacted, that a new parliament should be called every third year, and that the present parliament should be dissolved before the first of January, 1695-6; and to this the royal assent was given: it was received with great joy, many fancying that all their other laws and liberties were now the more secure, since this was passed into a law. Time must tell what effects it will produce; whether it will put an end to the great corruption with which elections were formerly managed, and to all those other practices that accompany them. Men that intended to sell their own votes within doors spared no cost to buy the votes of others in elections: but now it was hoped we should see a golden age, wherein the character men were in, and the reputation they had, would be the prevailing considerations in elections: and by this means it was hoped that our constitution, in particular that part of it which related to the house of commons, would again recover both its strength and reputation, which was now very much sunk; for corruption was so generally spread, that it was believed every thing was carried by that method.

But I am now coming towards the fatal period of this book. The queen continued still to set a great example to the whole nation, which shined in all the parts of it. She used all possible methods for reforming whatever was amiss. She took ladies off from that idleness which not only wasted their time but exposed them to many temptations: she engaged many both to read and to work: she wrought many hours a-day herself, with her ladies and her maids of honour working about her, while one read to them all. The female part of the court had been in the former reigns subject to much censure, and there was great cause for it; but she freed her court so entirely from all suspicion, that there was not so much as a colour for discourses of that sort. She did divide her time so regularly between her closet and business, her work and diversion, that every minute seemed to have its proper employment: she expressed so deep a sense of religion, with so true a regard to it; she had such right principles and just notions; and her deportment was so exact in every part of it; all being natural and unconstrained, and animated with due life and cheerfulness: she considered every thing that was laid before her so carefully, and gave such due encouragement to a freedom of speech: she remembered every thing so exactly, observing at the same time the

closest reservedness, yet with an open air and frankness : she was so candid in all she said, and cautious in every promise she made ; and, notwithstanding her own great capacity, she expressed such a distrust of her own thoughts, and was so entirely resigned to the king's judgment, and so constantly determined by it, that when I laid all these things together, which I had large opportunities to observe, it gave a very pleasant prospect to balance the melancholy view that arose from the ill posture of our affairs in all other respects. It gave us a very particular joy when we saw that the person, whose condition seemed to mark her out as the defender and perfecter of our reformation, was such in all respects in her public administration, as well as in her private deportment, that she seemed well fitted for accomplishing that work for which we thought she was born : but we soon saw this hopeful view blasted, and our expectations disappointed, in the loss of her.

It was preceded by that of archbishop Tillotson, who was taken ill of a fit of a dead palsy in November, while he was in the chapel at Whitehall, on a Sunday, in the worship of God : he felt it coming on him, but, not thinking it decent to interrupt the divine service, he neglected it too long, till it fell so heavily on him, that all remedies were ineffectual ; and he died the fifth day after he was taken ill \*. His distemper did so oppress him, and speaking was so uneasy to him, that though it appeared by signs and other indications that his understanding remained long clear, yet he was not able to express himself so as to edify others. He seemed still serene and calm, and in broken words he said he thanked God he was quiet within, and had nothing then to do but to wait for the will of Heaven. I preached his funeral sermon, in which I gave a character of him which was so severely true, that I perhaps kept too much within bounds, and said less than he deserved. But we had lived in such friendship together, that I thought it was more decent, as it always is more safe, to err on that hand. He was the man of the truest judgment and best temper I had ever known : he had a clear head, with a most tender and compassionate heart : he was a faithful and zealous friend, but a gentle and soon conquered enemy : he was truly and seriously religious, but without affectation, bigotry, or superstition : his notions of morality were fine and sublime : his thread of reasoning was easy, clear, and solid : he was not only the best preacher of the age, but seemed to have brought preaching to perfection : his sermons were so well heard and liked, and so much read, that all the nation proposed him as a pattern, and studied to copy after him : his parts remained with him clear and unclouded ; but the perpetual slanders and other ill usage he had been followed with for many years, most particularly since his advancement to that great post, gave him too much trouble, and too deep a concern : it could neither provoke him, nor fright him from his duty ; but it affected his mind so much, that this was thought to have shortened his days.

Sancroft had died a year before in the same poor and despicable manner, in which he had lived for some years : he died in a state of separation from the church ; and yet he had not the courage to own it in any public declaration : for neither living nor dying did he publish any thing concerning it. His death ought to have put an end to the schism that some were endeavouring to raise ; upon this pretence, that a parliamentary deprivation was never to be allowed, as contrary to the intrinsic power of the church ; and therefore they looked on Sancroft as the archbishop still, and reckoned Tillotson an usurper, and all that joined with him were counted schismatics ; they were willing to forget, as some of them did plainly condemn, the deprivations made in the progress of the reformation, more particularly those in the first parliament of queen Elizabeth's reign, and the deprivations made by the act of uniformity in the year 1662 : but from thence the controversy was carried up to the fourth century ; and a great deal of angry reading was brought out on both sides to justify, or to condemn, those proceedings. But arguments will never have the better of interest and humour ; yet now, even according to their own pretensions, the schism ought to have ceased ; since he, on whose account it was set up, did never assert his right ; and therefore that might have been more justly construed a tacit yielding it ; but those who have a mind to

\* Tillotson died on the 24th of November, 1694. His integrity and freedom from avarice is attested by the fact that his widow, a niece of Oliver Cromwell, was supported by the bounty of king William.—Noble's *Confessions of Grangers*.



embroil church or state, will never want a pretence, and no arguments will beat them from it.

Both king and queen were much affected with Tillotson's death: the queen for many days spoke of him in the tenderest manner, and not without tears. He died so poor that, if the king had not forgiven his first fruits, his debts could not have been all paid: so generous and charitable was he in a post, out of which Sancroft had raised a great estate, which he left to his family; but Tillotson was rich in good works. His see was filled by Tenison, bishop of Lincoln. Many wished that Stillingfleet might have succeeded, he being not only so eminently learned, but judged a man in all respects fit for the post. The queen was inclined to him; she spoke with some earnestness oftener than once to the duke of Shrewsbury on that subject: she thought he would fill that post with great dignity: she also pressed the king earnestly for him: but as his ill health made him not capable of the fatigue that belonged to this province, so the whigs did generally apprehend that both his notions and his temper were too high; and all concurred to desire Tenison, who had a firmer health, with a more active temper, and was universally well liked for having served the cure of St. Martin's, in the worst time, with so much courage and discretion; so that at this time he had many friends and no enemies\*.

The small pox raged this winter about London, some thousands dying of them, which gave us great apprehensions with relation to the queen, for she had never had them.

In conclusion, she was taken ill, but the next day that seemed to go off: I had the honour to be half an hour with her that day, and she complained then of nothing. The day following she went abroad; but her illness returned so heavily on her that she could disguise it no longer: she shut herself up long in her closet that night, and burned many papers, and put the rest in order; after that she used some slight remedies, thinking it was only a transient indisposition; but it increased upon her, and, within two days after, the small pox appeared, and with very bad symptoms. I will not enter into another's province, nor speak of matters so much out of the way of my own profession: but the physicians' part was universally condemned, and her death was imputed to the negligence, or unskilfulness, of Dr. Ratcliffe. He was called for, and it appeared but too evidently that his opinion was chiefly considered, and was most depended on. Other physicians were afterwards called, but not till it was too late†. The king was struck with this beyond expression. He came on the second day of her illness and passed the bill for frequent parliaments, which, if he had not done that day, it is very probable he would never have passed it. The day after, he called me into his closet, and gave a free vent to a most tender passion; he burst out into tears, and cried out that there was no hope of the queen, and that, from being the most happy, he was now going to be the most miserable, creature upon earth. He said, during the whole course of their marriage, he had never known one single fault in her: there was a worth in her that nobody knew besides himself; though he added, that I might know as much of her as any other person did. Never was such a face of universal sorrow seen in a court, or in a town, as at this time: all people, men and women, young and old, could scarcely refrain from tears. On Christmas-day the small pox sunk so entirely, and the queen felt herself so well upon it, that it was for a while concluded she had the measles, and that the danger was over. This hope was ill grounded, and of a short continuance; for, before night, all was sadly changed. It appeared that the small pox were now so sunk that there was no hope of raising them. The new archbishop attended on her; he performed all devotions, and had much private discourse with her. When the desperate condition she was in was evident

\* Dr. Thomas Tenison is described by Mackay in his "Memoire," as being "a plain, good, heavy man;" a sketch that his conduct, as metropolitan, justifies us in thinking accurate. Dr. Stillingfleet was every way his superior; but, in those days, it was a point of importance to obtain a man for that high office who would not do any harm. Tenison appeared to disadvantage from being in such close juxtaposition to Tillotson. He was born at Cottenham, in Cambridgeshire, during the year 1636. It was while he held the rectory of St.

Martin's-in-the-fields, to which he was presented in 1680, that he founded the library which has just been thrown open to the public. It was for his strenuous opposition to popery, in the reign of James, that he obtained the bishopric of Lincoln in 1691, from whence he was translated to Canterbury. He died in 1715.—Biog. Britan.: Noble's Continuation of Grainger.

† Dr. Ratcliffe always declared that he was not called in until human skill could be of no avail. Burnet's statement shows that medical aid was long deferred.

beyond doubt, he told the king he could not do his duty faithfully, unless he acquainted her with the danger she was in. The king approved of it, and said, whatever effect it might have, he would not have her deceived in so important a matter. And, as the archbishop was preparing the queen with some address, not to surprise her too much with such tidings, she presently apprehended his drift, but showed no fear nor disorder upon it. She said she thanked God she had always carried this in her mind, that nothing was to be left to the last hour; she had nothing then to do but to look up to God, and submit to his will; it went further indeed than submission, for she seemed to desire death rather than life; and she continued to the last minute of her life in that calm and resigned state. She had formerly written her mind, in many particulars, to the king: and she gave order to look carefully for a small scrutoire that she made use of, and to deliver it to the king: and, having dispatched that, she avoided the giving herself or him the tenderness which a final parting might have raised in them both. She was almost perpetually in prayer. The day before she died she received the sacrament, all the bishops, who were attending, being admitted to receive it with her: we were, God knows, a sorrowful company; for we were losing her who was our chief hope and glory on earth: she followed the whole office, repeating it after the archbishop: she apprehended, not without some concern, that she should not be able to swallow the bread, yet it went down easily. When this was over, she composed herself solemnly to die; she slumbered sometimes, but said she was not refreshed by it; and said often that nothing did her good but prayer; she tried once or twice to have said somewhat to the king, but was not able to go through with it. She ordered the archbishop to be reading to her such passages of Scripture as might fix her attention and raise her devotion. Several cordials were given, but all was ineffectual; she lay silent for some hours: and some words that came from her showed her thoughts began to break. In conclusion, she died on the 28th of December, about one in the morning, in the thirty-third year of her age, and in the sixth of her reign.

She was the most universally lamented princess, and deserved the best to be so, of any in our age, or in our history. I will add no more concerning her in the way of a character: I have said a great deal already in this work; and I wrote a book, as an essay on her character, in which I have said nothing but that which I knew to be strictly true, without the enlargement of figure or rhetoric\*. The king's affliction for her death was as great as it was just; it was greater than those who knew him best thought his temper capable of: he went beyond all bounds in it: during her sickness, he was in an agony that amazed us all, fainting often, and breaking out into most violent lamentations. When she died, his spirits sunk so low, that there was great reason to apprehend that he was following her; for some weeks after he was so little master of himself, that he was not capable of minding business, or of seeing company. He turned himself much to the meditations of religion, and to secret prayer; the archbishop was often and long with him: he entered upon solemn and serious resolutions of becoming in all things an exact and exemplary Christian. And now I am come to the period of this book with a very melancholy prospect; but God has ordered matters since beyond all our expectations†.

\* Burnet's work, with the queen's portrait, was published in 1695. See an account of this essay in Mr. D'Israeli's *Curiosities of Literature*, second series, article "True Sources of Secret History."

† Burnet's character of queen Mary has never been controverted in any material points. The mutual affec-

tion that was professed between her and the king was certainly genuine. Her private letters express naturally her love for him; and, after he was dead, a bracelet of her hair was found upon his arm.—Noble's *Continuation of Grainger*.

## BOOK VI.

## OF THE LIFE AND REIGN OF KING WILLIAM THE THIRD.



THE two houses of parliament set an example that was followed by the whole nation, of making consolatory and dutiful addresses to the king. The queen was buried with the ordinary ceremony, and with one piece of magnificence that could never happen before; for both houses of parliament went in procession before the chariot that carried her body to Westminster Abbey; where places were prepared for both houses to sit in form, while the archbishop preached the funeral sermon. This could never happen before, since the sovereign's death had always dissolved our parliaments. It is true, the earl of Rochester tried if he could have raised a doubt of the legality of this parliament's continuance, since it was summoned by king William and queen Mary; so, upon her death, the writ that ran in her name seemed to die with her. This would have had fatal consequences, if in that season of the year all things must have stood still till a new parliament could have been brought together: but the act that put the administration entirely in the king, though the queen had a share in the dignity of sovereign, made this cavil appear to be so ill grounded, that nobody seconded so dangerous a suggestion.

The parliament went on with the business of the nation, in which the earl of Rochester and that party artfully studied all that was possible to embroil our affairs. The state of our coin gave them too great a handle for it. We had two sorts of coin: the one was milled, and could not be practised on; but the other was not so, and was subject to clipping: and in a course of some years the old money was every year so much diminished, that it at last grew to be less than the half of the intrinsic value. Those who drove this trade were as much enriched as the nation suffered by it. When it came to be generally observed, the king was advised to issue out a proclamation, that no money should pass for the future by the tale, but by the weight, which would put a present end to clipping. But Seymour, being then in the treasury, opposed this: he advised the king to look on, and let that matter have its course: the parliament would in due time take care of it; but in the meanwhile the badness of money quickened the circulation, while every one studied to put out of his hands all the bad money; and this would make all people the readier to bring their cash into the exchequer, and so a loan was more easily made. The badness of the money began now to grow very visible; it was plain that no remedy could be provided for it, but by recoinning all the specie of England; and that could not be set about in the end of a session. The earls of Rochester and Nottingham represented this very tragically in the house of lords, where it was not possible to give the proper remedy; it produced only an act with stricter clauses and severer penalties against clippers: this had no other effect but that it alarmed the nation, and sunk the value of our money in the Exchange: guineas, which were equal in value to twenty-one shillings and sixpence in silver, rose to thirty shillings; that is to say, thirty shillings sunk to twenty-one shillings and sixpence. This public disgrace put on our coin, when the evil was not cured, was in effect a great point carried, by which there was an opportunity given to sink the credit of the government, and of the public funds; and it brought a discount of about 40*l.* per cent. upon tallies.

Another bill was set on foot, which was long pursued, and in conclusion carried by the Tories: it was concerning trials for treason; and the design of it seemed to be to make men



as safe in all treasonable conspiracies and practices as was possible : two witnesses were to concur to prove the same fact, at the same time : counsel in matters of fact, and witnesses upon oath, were by it allowed to the prisoners ; they were to have a copy of the indictment and the panel in due time : all these things were in themselves just and reasonable : and if they had been moved by other men, and at another time, they would have met with little opposition : they were chiefly set on by Finch, the earl of Nottingham's brother, who had been concerned in the hard prosecutions for treasons in the end of king Charles's reign, and had then carried all prerogative points very far ; but was, during this reign, in a constant opposition to every thing that was proposed for the king's service : he had a copious way of speaking, with an appearance of beauty and eloquence to vulgar hearers ; but there was a superficialness in most of his harangues that made them seem tedious to better judges ; his rhetoric was all vicious, and his reasoning was too subtle. The occasion given for this bill leads me to give an account of some trials for treason during the last summer, which, for the relation they have to this matter, I have reserved for this place.

Lunt, an Irishman, who was bold and poor, and of a mean understanding, had been often employed to carry letters and messages between Ireland and England when king James was there. He was once taken up on suspicion, but he was faithful to his party, and would discover nothing ; so he continued after that to be trusted by them. But, being kept very poor, he grew weary of his low estate, and thought of gaining the rewards of a discovery. He fell into the hands of one Taaff, an Irish priest, who had not only changed his religion, but had married in king James's time. Taaff came into the service of the present government, and had a small pension. He was long in pursuit of a discovery of the imposture in the birth of the prince of Wales, and was engaged with more success in discovering the concealed estates of the priests and the religious orders, in which some progress was made. These seemed to be sure evidences of the sincerity of the man, at least in his opposition to those whom he had forsaken, and whom he was provoking in so sensible a manner. All this I mention the more particularly to show how little that sort of men are to be depended on ; he possessed those to whom his other discoveries gave him access, of the importance of this Lunt, who was then come from St. Germain's, and who could make great discoveries : so Lunt was examined by the ministers of state ; and he gave them an account of some discourses and designs against the king, and of an insurrection, that was to have broken out in the year 1692, when king James was designing to come over from Normandy : for he said he had carried at that time commissions to the chief men of the party, both in Lancashire and Cheshire. A carrier had been employed to carry down great quantities of arms to them : one of the chests, in which they were put up, had broken in the carriage, so the carrier saw what was in them ; and he deposed he had carried many of the same weight and size : the persons concerned, finding the carrier was true and secret, continued to employ him in that sort of carriage for a great while. Lunt's story seemed probable and coherent in all its circumstances : so orders were sent to seize on some persons, and to search houses for arms. In one house they found arms for a troop of horse, built up within walls very dexterously. Taaff was all this while very zealous in supporting Lunt's credit, and in assisting him in his discoveries. A solemn trial of the prisoners was ordered in Lancashire. When the set time drew near, Taaff sent them word that, if he should be well paid for it, he would bring them all off : it may be easily imagined that they stuck at nothing for such a service. He had got out of Lunt all his depositions, which he disclosed to them ; so they had the advantage of being well prepared to meet and overthrow his evidence in many circumstances : and at the trial Taaff turned against him, and witnessed many things against Lunt that shook his credit. There was another witness that supported Lunt's evidence, but he was so profligate a man, that great and just objections lay against giving him any credit ; but the carrier's evidence was not shaken. Lunt, in the trial, had named two gentlemen wrong, mistaking the one for the other ; but he quickly corrected his mistake : he had seen them but once, and they were both together, so he might mistake their names ; but he was sure these were the two persons with whom he had those treasonable negotiations. Taaff had engaged him in company in London, to whom he had talked very idly, like a man who resolved to make a fortune by swearing : and it seemed, by what he said, that he had many

discoveries yet in reserve, which he intended to spread among many, till he should grow rich and considerable by it : this was sworn against him. By all these things his evidence was so blasted that no credit was given to him. Four of the judges were sent down to try the prisoners at Manchester and at Chester, where they managed matters with an impartial exactness. Any leaning that appeared was in favour of the prisoners, according to a characteristic that judges had always pretended to, but had not of late deserved so well as upon this occasion, of being counsel for the prisoner. The evidence that was brought against Lunt was afterwards found to be false ; but it looked then with so good an appearance, that both the king's counsel and the judges were satisfied with it ; and so, without calling for the rest of the evidence, the matter was let fall : and when the judges gave the charge to the jury, it was in favour of the prisoners, so that they were acquitted. And the rest of those who were ordered to be tried after them were all discharged without trial.

The whole party triumphed upon this as a victory, and complained both of the ministers of state and of the judges : the matter was examined into by both houses of parliament, and it evidently appeared that the proceeding had been not only exactly according to law, but that all reasonable favour had been shewed the prisoners ; so that both houses were fully satisfied : only the earls of Rochester and Nottingham hung on the matter long, and with great eagerness, and, in conclusion, protested against the vote by which the lords justified these proceedings. This examination was brought on with much noise, to give the more strength to the bill of treasons : but the progress of the examination turned so much against them who had made this use of it, that it appeared there was no just occasion given by that trial to alter the law. Yet the commons passed the bill : but the lords insisted on a clause, that all the peers should be summoned to the trial of a peer that was charged with high treason : the commons would not agree to that ; and so the bill was dropped for this time. By the late trial it had manifestly appeared how little the crown gained by one thing, which yet was thought an advantage, that the witnesses for the prisoner were not upon oath. Many things were upon this occasion witnessed in favour of the prisoners, which were afterwards found to be notoriously false : and it is certain that the terror of an oath is a great restraint, and many, whom an oath might overawe, would more freely allow themselves the liberty of lying in behalf of a prisoner to save his life.

When this design failed, another was set up against the bank, which began to have a flourishing credit, and had supplied the king so regularly with money, and that upon such reasonable terms, that those who intended to make matters go heavily, tried what could be done to shake the credit of the bank. But this attempt was rejected in both houses with indignation : it was very evident that public credit would signify little, if what was established in one session of parliament might be fallen upon and shaken in another.

Towards the end of the session, complaints were made of some military men who did not pay their quarters, pretending their own pay was in arrear ; but, it appearing that they had been paid, and the matter being further examined into, it was found that the superior officers had cheated the subalterns, which excused their not paying their quarters. Upon this the enquiry was carried further, and such discoveries were made, that some officers were broken upon it, while others prevented complaints, by satisfying those whom they had oppressed. It was found out that the secretary of the treasury had taken two hundred guineas, for procuring the arrears due to a regiment to be paid : whereupon he was sent to the Tower, and turned out of his place. Many were the more sharpened against him, because it was believed that he, as well as Trevor, the speaker, was deeply concerned in corrupting the members of the house of commons : he had held his place both in king Charles's and king James's time : and the share he had in the secret distribution of money, had made him a necessary man for those methods.

But the house, being on this scent, carried the matter still further. In the former session of parliament, an act had passed, creating a fund for the repayment of the debt owing to the orphans, by the chamber of London ; and the chamber had made Trevor a present of a thousand guineas, for the service he did them in that matter : this was entered in their books, so that full proof was made of it. It was indeed believed that a much greater present had been made him in behalf of the orphans ; but no proof of that appeared : whereas what

had been taken in so public a manner could not be hid. This was objected to Trevor as corruption and a breach of trust ; and upon it he was expelled the house : and Mr. Paul Foley was chosen speaker in his room ; who had got great credit by his integrity, and his constant complaining of the administration.

One discovery made way for another : it was found that in the books of the East India company there were entries made of great sums given for secret services done the company, that amounted to 170,000*l.* : and it was generally believed that the greatest part of it had gone among the members of the house of commons. For the two preceding winters there had been attempts eagerly pursued by some for breaking the company, and either opening a free trade to the Indies, or at least erecting a new company : but it was observed that some of the hottest sticklers against the company did insensibly not only fall off from that heat, but turned to serve the company as much as they had at first endeavoured to destroy it. Seymour was among the chief of these : and it was said that he had 12,000*l.* of their money under the colour of a bargain for their saltpetre. Great pains and art were used to stifle this enquiry ; but curiosity, envy, and ill nature, as well as virtue, will on such occasions always prevail to set on enquiries. Those who have had nothing desire to know who have had something, while the guilty persons dare not show too great a concern in opposing discoveries. Sir Thomas Cook, a rich merchant, who was governor of the company, was examined concerning that great sum given for secret service : but he refused to answer. So a severe bill was brought in against him, in case he should not, by a prefixed day, confess how all that money had been disposed of. When the bill was sent up to the lords, and was likely to pass, he came in and offered to make a full discovery, if he might be indemnified for all that he had done, or that he might say, in that matter. The enemies of the court hoped for great discoveries that should disgrace both the ministers and the favourites : but it appeared that whereas both king Charles and king James had obliged the company to make them a yearly present of 10,000*l.*, that the king had received this but once ; and that though the company offered a present of 50,000*l.* if the king would grant them a new charter, and consent to an act of parliament confirming it, the king had refused to hearken to it. There were indeed presumptions that the marquis of Caermarthen had taken a present of five thousand guineas, which were sent back to sir Thomas Cook the morning before he was to make his discovery. The lords appointed twelve of their body to meet with twenty-four of the house of commons to examine into this matter ; but they were so ill satisfied with the account that was given them by the four persons who had been entrusted with the secret, that by a particular act, that passed both houses, they were committed to the Tower of London till the end of the next session of parliament, and restrained from disposing of their estates, real or personal. These were proceedings of an extraordinary nature, which could not be justified but from the extraordinary occasion that was given for them. Some said this looked like the setting up a court of inquisition, when new laws were made on purpose to discover secret transactions ; and that no bounds could be set to such a method of proceeding. Others said, that when entries were made of such sums secretly disposed of, it was as just for a parliament to force a confession, as it was common in the course of the law to subpoena a man to declare all his knowledge of any matter, how secretly soever it might have been managed, and what person soever might have been concerned in it. The lord president felt that he was deeply wounded with this discovery ; for, while the act against Cook was passing in the house of lords, he took occasion to affirm, with solemn protestations, that he himself was not at all concerned in that matter. But now all had broken out. One Firebrass, a merchant, employed by the East India company, had treated with Bates, a friend of the marquis of Caermarthen ; and for the favour that lord was to do them, in procuring them a new charter, Bates was to have for his use five thousand guineas. But now a new turn was to be given to all this : Bates swore that he indeed received the money, and that he offered it to that lord, who positively refused to take it : but, since it was already paid in, he advised Bates to keep it to himself ; though, by the examination, it appeared that Bates was to have 500*l.* for his own negotiating the affair : it did also appear that the money was paid into the hands of one of that lord's servants ; but he could not be come at. Upon this discovery the house of commons voted an



impeachment for a misdemeanour against the lord president. He, to prevent that, desired to be heard speak to that house in his own justification. When he was before them he set out the services that he had done the nation, in terms that were not thought very decent: he assumed the greatest share of the honour of the revolution to himself: he expressed a great uneasiness to be brought under so black an imputation, from which he cleared himself as much as words could do: in the end, he desired a present trial. Articles were upon that brought against him: he, in answer to these, denied his having received the money. But his servant, whose testimony only could have cleared that point, disappearing, the suspicion still stuck on him. It was intended to hang up the matter to another session; but an act of grace came in the end of this, with an exception indeed as to corruption: yet this whole discovery was let fall, and it was believed too many of all sides were concerned in it; for, by a common consent, it was never revived; and thus the session ended.

The first consultation after it was over was concerning the coin, what methods should be taken to prevent further clipping, and for remedying so great an abuse. Some proposed the recoinning the money, with such a raising of the value of the species as should balance the loss upon the old money that was to be called in. This took with so many that it was not easy to correct an error that must have had very bad effects in the conclusion: for the only fixed standard must be the intrinsic value of an ounce of silver: and it was a public robbery that would very much prejudice our trade, not to keep the value of our specie near an equality with its weight and fineness in silver. So that the difference between the old and new money could only be set right by the house of commons, in a supply to be given for that end. The lord keeper, Somers, did indeed propose that which would have put an effectual stop to clipping for the future. It was, that a proclamation should be prepared with such secrecy, as to be published all over England on the same day, ordering money to pass only by weight; but that, at the same time, during three or four days after the proclamation, all persons, in every county, that had money, should bring it in to be told and weighed; and the difference was to be registered, and the money to be sealed up, to the end of the time given, and then to be restored to the owners; and an assurance was to be given, that this deficiency in weight should be laid before the parliament, to be supplied another way, and to be allowed them in the following taxes. But though the king liked this proposition, yet all the rest of the council were against it. They said this would stop the circulation of money, and might occasion tumults in the markets. Those whose money was thus to be weighed would not believe that the difference between the tale and the weight would be allowed them, and so might grow mutinous; therefore they were for leaving this matter to the consideration of the next parliament. So this proposition was laid aside; which would have saved the nation above a million of money. For now, as all people believed that the parliament would receive the clipped money in its tale, clipping went on, and became more visibly scandalous than ever it had been.

There was indeed reason to apprehend tumults: for, now, after the queen's death, the jacobites began to think, that the government had lost the half of its strength, and that things could not be kept quiet at home, when the king should be beyond sea. Some pretended they were for putting the princess in her sister's place; but that was only a pretence, to which she gave no sort of encouragement: king James lay at bottom. They fancied an invasion in the king's absence would be an easy attempt, which would meet with little resistance; so they sent some over to France, in particular one Charnock, a Fellow of Magdalen College, who in king James's time had turned papist, and was a hot and active agent among them. They undertook to bring a body of two thousand horse to meet such an army as should be sent over; but Charnock came back with a cold account, that nothing could be done at that time; upon which it was thought necessary to send over a man of quality, who should press the matter with some more authority; so the earl of Aylesbury was prevailed on to go. He was admitted to a secret conversation with the French king, and this gave rise to a design which was very near being executed the following winter.

But, if sir John Fenwick did not slander king James, they at this time proposed a shorter and more infallible way, by assassinating the king; for he said that some came over from

France about this time who assured their party, and himself in particular, that a commission was coming over, signed by king James, which they affirmed they had seen, warranting them to attack the king's person. This, it is true, was not yet arrived ; but some affirmed they had seen it, and that it was trusted to one who was on his way hither. Therefore, since the king was so near going over to Holland, that he would probably be gone before the commission could be in England, it was debated among the jacobites whether they ought not to take the first opportunity to execute this commission, even though they had it not in their hands. It was resolved to do it, and a day was set for it ; but, as Fenwick said, he broke the design, and sent them word that he would discover it if they would not promise to give over the thoughts of it ; and upon this reason, he believed, he was not let into the secret the following winter. This his lady told me from him, as an article of merit to obtain his pardon ; but he had trusted their word very easily, it seems, since he gave the king no warning to be on his guard, and the two witnesses whom he said he could produce to vouch this, were then under prosecution, and outlawed ; so that the proof was not at hand, and the warning had not been given as it ought to have been. But of all this the government knew nothing, and suspected nothing at this time.

The king settled the government of England, in seven lords justices, during his absence ; and in this a great error was committed, which had some ill effects, and was like to have had worse. The queen, when she was dying, had received a kind letter from, and had sent a reconciling message to the princess, and so that breach was made up. It is true the sisters did not meet ; it was thought that might throw the queen into too great a commotion, so it was put off till it was too late ; yet the princess came soon after to see the king, and there was after that an appearance of good correspondence between them ; but it was little more than an appearance \*. They lived still in terms of civility and in formal visits ; but the king did not bring her into any share in business, nor did he order his ministers to wait on her and give her any account of affairs. And now that he was to go beyond sea, she was not set at the head of the councils, nor was there any care taken to oblige those who were about her. This looked either like a jealousy and distrust, or a coldness towards her which gave all the secret enemies of the government a colour of complaint. They pretended zeal for the princess, though they came little to her ; and they made it very visible, on many occasions, that this was only a disguise for worse designs.

Two great men had died in Scotland the former winter, the dukes of Hamilton and Queensbury : they were brothers-in-law, and had been long great friends, but they became irreconcilable enemies. The first had more application, but the other had the greater genius. They were incompatible with each other, and indeed with all other persons ; for both loved to be absolute, and to direct every thing. The marquis of Halifax died in April this year. He had gone into all the measures of the tories, only he took care to preserve himself from criminal engagements. He studied to oppose every thing, and to embroil matters all he could. His spirit was restless, and he could not bear to be out of business. His vivacity and judgment sunk much in his last years, as well as his reputation. He died of a gangrene, occasioned by a rupture that he had long neglected. When he saw death so near him, and was warned that there was no hope, he shewed a great firmness of mind, and a calm that had much of true philosophy at least. He professed himself a sincere Christian, and lamented the former parts of his life, with solemn resolutions of becoming in all respects another man, if God should raise him up : and so, I hope, he died a better man than he lived.

The seven lords justices were the archbishop of Canterbury, the lord keeper, the lord privy seal, the lord steward, the lord chamberlain, the first secretary of state, and the first commissioner of the treasury †. They had no character nor rank except when four of them were together, and they avoided assembling to that number except at the council board, where it was necessary ; and when they were together they had regal authority vested in them. They were chosen by the posts they were in, so that no other person could think he was neglected by the preference : they were not envied by this titular greatness, since it was indeed only

\* This was brought about by lord keeper Somers.—Shrewsbury Correspondence.

† Dr. Tenison, sir John Somers, earl of Halifax, duke of Devonshire, duke of Dorset, duke of Shrewsbury, earl of Godolphin.

titular ; for they had no real authority trusted with them. They took care to keep within bounds, and to do nothing, but in matters of course, till they had the king's orders, to which they adhered exactly, so that no complaints could be made of them because they took nothing on them, and did only keep the peace of the kingdom, and transmit and execute the king's orders. The summer went over quietly at home ; for though the jacobites showed their disposition on some occasions, but most signally on the prince of Wales's birth-day, yet they were wiser than to break out into any disorder, when they had no hopes of assistance from France.

About the end of May the armies were brought together in Flanders ; the king drew his main force towards the French lines, and the design was formed to break through and to destroy the French Flanders. Luxembourg died this winter ; so the command of the French armies was divided between Villeroy and Boufflers, but the former commanded the stronger army. An attempt was made on the fort of Knock, in order to forcing the lines, and there was some action about it ; but all on the sudden Namur was invested, and the king drew off the main part of his army to besiege that place, and left above thirty thousand men under the command of the prince of Vaudemont, who was the best general he had ; for prince Waldeck died above a year before this. With that army he was to cover Flanders and Brabant, while the king carried on the siege.

As soon as Namur was invested, Boufflers threw himself into it, with many good officers and a great body of dragoons : the garrison was twelve thousand strong. A place so happily situated, so well fortified, and so well furnished and commanded, made the attempt seem bold and doubtful. The dry season put the king under another difficulty ; the Maese was so low that there was not water enough to bring up the barks, laden with artillery and ammunition, from Liege and Maestricht, so that many days were lost in bringing these overland ; and if Villeroy had followed the king close, it is thought he must have quitted the design ; but the French presumed upon the strength of the place and garrison, and on our being so little practised in sieges. They thought that Villeroy might make some considerable conquest in Flanders, and when that was done come in good time to raise the siege. Prince Vaudemont managed his army with such skill and conduct, that as he covered all the places on which he thought the French had an eye, so he marched with that caution, that though Villeroy had above double his strength, yet he could not force him to an engagement, nor gain any advantage over him. The military men that served under him, magnified his conduct highly, and compared it to any thing that Turenne, or the greatest generals of the age had done. Once it was thought, he could not get off ; but he marched under the cannon of Ghent without any loss. In this Villeroy's conduct was blamed, but without cause ; for he had not overseen his advantage, but had ordered the duke of Mayne, the French king's beloved son, to make a motion with the horse which he commanded ; and probably, if that had been speedily executed, it might have had ill effects on the prince of Vaudemont ; but the duke de Mayne despised Villeroy, and made no haste to obey his orders, so the advantage was lost, and the king of France put him under a slight disgrace for it. Villeroy attacked Dixmuyde and Deinse : the garrisons were not indeed able to make a great resistance ; but they were ill commanded. If their officers had been masters of a true judgment, or presence of mind, they might at least have got a favourable composition, and have saved the garrisons, though the places were not tenable ; yet they were basely delivered up, and about seven thousand men were made prisoners of war. And hereupon, though by a cartel that had been settled between the two armies, all prisoners were to be redeemed at a set price, and within a limited time ; yet the French having now so many men in their hands, did, without either colour or shame, give a new essay of their perfidiousness ; for they broke it upon this occasion, as they had often done at sea, indeed as often as any advantages on their side tempted them to it. The governors of those places were at first believed to have betrayed their trust and sold the garrisons, as well as the places, to the French ; but they were tried afterwards, and it appeared that it flowed from cowardice and want of sense ; for which one of them suffered, and the other was broken with disgrace.

Villeroy marched towards Brussels, and was followed by prince Vaudemont, whose chief care was to order his motions so, that the French might not get between him and the king's



camp at Namur. He apprehended that Villeroy might bombard Brussels, and would have hindered it if the town could have been wrought on to give him the assistance that he desired of them. Townsmen upon all such occasions are more apt to consider a present, though a small expense, than a great, though an imminent danger; so prince Vaudemont could not pretend to cover them. The electress of Bavaria was then in the town; and though Villeroy sent a compliment to her, yet he did not give her time to retire, but bombarded the place for two days, with so much fury, that a great part of the lower town was burnt down. The damage was valued at some millions, and the electress was so frightened, that she miscarried upon it of a boy. When this execution was done, Villeroy marched towards Namur; his army was now so much increased by detachments brought from the Rhine, and troops drawn out of garrisons, that it was said to be one hundred thousand strong. Both armies on the Rhine were so equal in strength that they could only lie on the defensive, neither side being strong enough to undertake any thing. M. de L'Orge commanded the French, and the prince of Baden the imperialists: the former was sinking as much in his health as in his credit, so a great body was ordered to march from him to Villeroy; and another body equal to that commanded by the landgrave of Hesse came and joined the king's army.

The siege was carried on with great vigour: the errors to which our want of practice exposed us were all corrected by the courage of our men: the fortifications, both in strength and in the extent of the outworks, were double to what they had been when the French took the place. Our men did not only succeed in every attack, but went much further.—In the first great sally the French lost so many, both officers and soldiers, that after that they kept within their works and gave us no disturbance. Both the king and the elector of Bavaria went frequently into the trenches: the town held out one month, and the citadel another. Upon Villeroy's approach, the king drew off all the troops that could be spared from the siege, and placed himself in his way with an army of sixty thousand men; but he was so well posted, that after Villeroy had looked on him for some days he found it was not advisable to attack him. Our men wished for a battle, as that which would not only decide the fate of Namur, but of the whole war. The French gave it out that they would put all to hazard rather than suffer such a diminution of their king's glory as the retaking that place seemed to be. But the signal of the citadel's treating, put an end to Villeroy's designs; upon which, he apprehending that the king might then attack him, drew off with so much precipitation, that it looked more like a flight than a retreat.

The capitulation was soon ended and signed by Boufflers, who, as was said, was the first mareschal of France that had ever delivered up a place. He marched out with five thousand men; so it appeared he had lost seven thousand during the siege, and we lost in it only about the same number. This was reckoned one of the greatest actions of the king's life, and indeed one of the greatest that is in the whole history of war. It raised his character much, both at home and abroad, and gave a great reputation to his troops: the king had the entire credit of the matter, his general officers having a very small share in it, being most of them men of low genius, and little practised in things of that nature. Cohorn, the chief engineer, signalized himself so eminently on this occasion, that he was looked on as the greatest man of the age, and outdid even Vauban, who had gone far beyond all those that went before him in the conduct of sieges: but it was confessed by all, that Cohorn had carried that art to a much farther perfection during this siege. The subaltern officers and soldiers gave hopes of a better race that was growing up, and supplied the errors and defects of their superior officers. As the garrison marched out, the king ordered Boufflers to be stopped, in reprisal for the garrisons of Dixmuyde and Deinse. Boufflers complained of this as a breach of articles, and the action seemed liable to censure. But many authorities and precedents were brought, both from law and history, to justify it. All obligations among princes, both in peace and war, must be judged to be reciprocal; so that he who breaks these first sets the other at liberty. At length the French consented to send back the garrisons, pursuant to the cartel: Boufflers was first set at liberty, and then these garrisons were released according to promise.

The officers were tried and proceeded against by councils of war, according to martial law. They were raised in the army by ill methods, and maintained themselves by worse: corrup-

tion had broken into the army, and oppression and injustice were much complained of. The king did not approve of those practices, but he did not inquire after them, nor punish them with a due severity; nor did he make difference enough between those who served well, sold nothing, and used their subalterns kindly, and those who set every thing to sale, and oppressed all that were under them; and when things of that kind go unpunished, they will soon make a great progress. There was little more done during the campaign in Flanders; nor was there any action upon the Rhine.

In Italy there was nothing done in the field by force of arms; but an affair of great consequence was transacted in a very mysterious manner. The duke of Savoy, after a very long blockade, undertook the siege of Casal; but he was so ill provided for it that no good account of it could be expected; the king had so little hopes of success, that he was not easily prevailed on to consent to the besieging it; but either the French intended to gain the pope and the Venetians, and in conclusion, that duke himself, with this extraordinary concession; or, since our fleet was then before Toulon, they judged it more necessary to keep their troops for the defence of their coast and fleet, than to send them to relieve Casal; so orders were sent to the governor to capitulate in such a number of days after the trenches were opened, so that the place was surrendered, though it was not at all straitened. It was agreed that it should be restored to the duke of Mantua, but so dismantled, that it might give jealousy to no side; and the slighting the fortifications went on so slowly, that the whole season was spent in it, a truce being granted all that while. Thus did the French give up Casal, after they had been at a vast expense in fortifying it, and had made it one of the strongest places in Europe.

Our fleet was all the summer master of the Mediterranean: the French were put into great disorder, and seemed to apprehend a descent, for Russel came before Marseilles and Toulon oftener than once: contrary winds forced him out to sea again, but with no loss. He himself told me he believed nothing could be done there; only the honour of commanding the sea, and of shutting the French within their ports, gave a great reputation to our affairs. In Catalonia the French made no progress; they abandoned Palamos, and made Gironne their frontier. The Spaniards once pretended to besiege Palamos, but they only pretended to do it; they desired some men from Russel, for he had regiments of marines on board: they said they had begun the siege, and were provided with every thing that was necessary to carry it on, only they wanted men, so he sent them some battalions; but when they came thither, they found not any one thing that was necessary to carry on a siege, not so much as spades, not to mention guns and ammunition; so Russel sent for his men back again. But the French of themselves quitted the place; for as they found the charge of the war in Catalonia was great, and though they met with a feeble opposition from the Spaniards, yet since they saw they could not carry Barcelona, so long as our fleet lay in those seas, they resolved to lay by in expectation of a better occasion. We had another fleet in our own channel that was ordered to bombard the French coast: they did some execution upon St. Malos, and destroyed Grandville, that lay not far from it: they also attempted Dunkirk, but failed in the execution: some bombs were thrown into Calais, but without any great effect, so that the French did not suffer so much by the bombardment as was expected: the country indeed was much alarmed by it; they had many troops dispersed all along their coast, so that it put their affairs in great disorder, and we were every where masters at sea. Another squadron, commanded by the marquis of Caermarthen (whose father was created duke of Leeds, to colour the dismissing him from business, with an increase of title), lay off from the isles of Scilly, to secure our trade and convoy our merchants. He was an extravagant man both in his pleasures and humours: he was slow in going to sea; and when he was out he fancied the French fleet was coming up to him, which proved to be only a fleet of merchant ships; so he left his station and retired into Milford haven, by which means that squadron became useless.

This proved fatal to our trade; many of our Barbadoes ships were taken by French cruizers and privateers. Two rich ships coming from the East Indies, were also taken one hundred and fifty leagues to the westward, by a very fatal accident, or by some treacherous advertisement, for cruizers seldom go so far into the ocean; and to complete the misfortunes

of the East India company, three other ships that were come near Galway, on the west of Ireland, fell into the hands of some French privateers. Those five ships were valued at a million, so here was great occasion of discontent in the city of London: they complained that neither the admiralty nor the government took the care that was necessary for preserving the wealth of the nation. A French man-of-war at the same time fell upon our factory on the coast of Guinea; he took the small fort we had there, and destroyed it. These misfortunes were very sensible to the nation, and did much abate the joy which so glorious a campaign would otherwise have raised; and much matter was laid in for ill humour to work upon.

The war went on in Hungary; the new grand seignior came late into the field, but as late as it was the imperialists were not ready to receive him: he tried to force his way into Transylvania, and took some weak and ill-defended forts, which he soon after abandoned. Veterani, who was the most beloved of all the emperor's generals, lay with a small army to defend the entrance into Transylvania; the Turks fell upon him and overpowered him with numbers; his army was destroyed and himself killed, but they sold their lives dear: the Turks lost double their number and their best troops in the action, so that they had only the name and honour of a victory; they were not able to prosecute it, nor to draw any advantage from it. The stragglers of the defeated army drew together towards the passes, but none pursued them, and the Turks marched back to Adrianople, with the triumph of having made a glorious campaign. There were some slight engagements at sea between the Venetians and the Turks, in which the former pretended they had the advantage, but nothing followed upon them. Thus affairs went on abroad during this summer.

There was a parliament held in Scotland, where the marquis of Tweeddale was the king's commissioner. Every thing that was asked for the king's supply, and for the subsistence of his troops, was granted. The massacre in Glencoe made still a great noise, and the king seemed too remiss in inquiring into it; but when it was represented to him that a session of parliament could not be managed without high motions and complaints of so crying a matter, and that his ministers could not oppose these, without seeming to bring the guilt of that blood that was so perfidiously shed, both on the king and on themselves, to prevent that, he ordered a commission to be passed under the great seal, for a precognition in that matter, which is a practice in the law of Scotland of examining into crimes before the persons concerned are brought upon their trial. This was looked on as an artifice to cover that transaction by a private inquiry; yet when it was complained of in parliament, not without reflections on the slackness in examining into it, the king's commissioner assured them that, by the king's order, the matter was then under examination, and that it should be reported to the parliament. The inquiry went on, and in the progress of it a new practice of the earl of Bredalbane's was discovered; for the Highlanders deposed that while he was treating with them, in order to their submitting to the king, he had assured them that he still adhered to king James's interest, and that he pressed them to come into that pacification, only to preserve them for his service till a more favourable opportunity. This, with several other treasonable discourses of his being reported to the parliament, he covered himself with his pardon, but these discourses happened to be subsequent to it, so he was sent a prisoner to the castle of Edinburgh: he pretended he had secret orders from the king to say any thing that would give him credit with them, which the king owned so far that he ordered a new pardon to be past for him. A great party came to be formed in this session of a very odd mixture; the high presbyterians and the jacobites joined together to oppose every thing, yet it was not so strong as to carry the majority, but great heats arose among them.

The report of the massacre of Glencoe was made in full parliament; by that it appeared that a black design was laid, not only to cut off the men of Glencoe but a great many more clans, reckoned to be in all above six thousand persons. The whole was pursued in many letters, that were written with great earnestness; and though the king's orders carried nothing in them that was in any sort blamable, yet the secretary of state's letters went much further; so the parliament justified the king's instructions, but voted the execution in Glencoe to have been a barbarous massacre, and that it was pushed on by the secretary of state's letters beyond the king's orders. Upon that they voted an address to be made to the



king, that he and others concerned in that matter might be proceeded against according to law ; this was carried by a great majority.

In this session, an act passed in favour of such of the episcopal clergy, as should enter into those engagements to the king that were by law required ; that they should continue in their benefices under the king's protection, without being subject to the power of the presbytery. This was carried with some address before the presbyterians were aware of the consequences of it, for it was plainly that which they call erastianism. A day was limited to the clergy for taking the oaths ; and by a very zealous and dexterous management, about seventy of the best of them were brought to take the oaths to the king : and so they came within the protection promised them by the act.

Another act passed that has already produced very fatal consequences to that kingdom, and may yet draw worse after it. The interlopers in the East India trade, finding that the company was likely to be favoured by the parliament, as well as by the court, were resolved to try other methods to break in upon that trade. They entered into a treaty with some merchants in Scotland ; and they had, in the former session, procured an act that promised letters patents to all such as should offer to set up new manufactures, or drive any new trade, not yet practised by that kingdom, with an exemption for twenty-one years from all taxes and customs, and with all such other privileges as should be found necessary for establishing or encouraging such projects. But here was a necessity of procuring letters patents, which they knew the credit that the East India company had at court would certainly render ineffectual. So they were now in treaty for a new act, which should free them from that difficulty. There was one Paterson, a man of no education, but of great notions, which, as was generally said, he had learned from the buccaneers, with whom he had consorted for some time. He had considered a place in Darien, where he thought a good settlement might be made, with another over against it in the South Sea ; and by two settlements there, he fancied a great trade might be opened both for the East and West Indies ; and that the Spaniards in the neighbourhood might be kept in great subjection to them : so he made the merchants believe, that he had a great secret, which he did not think fit yet to discover, and reserved to a fitter opportunity, only he desired that the West Indies might be named in any new act that should be offered to the parliament. He made them in general understand that he knew of a country, not possessed by Spaniards, where there were rich mines, and gold in abundance. While these matters were in treaty, the time of the king's giving the instructions to his commissioner for the parliament came on ; and it had been a thing of course, to give a general instruction to pass all bills for the encouragement of trade. Johnston told the king that he heard there was a secret management among the merchants for an act in Scotland, under which the East India trade might be set up ; so he proposed, and drew an instruction, empowering the commissioner to pass any bill, promising letters patents for encouraging of trade, yet limited so that it should not interfere with the trade of England. When they went down to Scotland, the king's commissioner either did not consider this, or had no regard to it, for he gave the royal assent to an act, that gave the undertakers, either of the East India or West India trade, all possible privileges, with exemption of twenty-one years from all impositions ; and the act directed letters patents to be passed under the great seal, without any further warrant for them. When this was printed, it gave a great alarm in England, more particularly to the East India company ; for many of the merchants of London resolved to join stock with the Scotch company, and the exemption from all duties gave a great prospect of gain. Such was the posture of affairs in Scotland.

In Ireland, the three lords justices did not agree long together ; the lord Capel studied to render himself popular, and espoused the interests of the English against the Irish, without any nice regard to justice or equity : he was too easily set on by those who had their own end in it to do every thing that gained him applause. The other two were men of severe tempers, and studied to protect the Irish, when they were oppressed ; nor did they try to make themselves otherwise popular than by a wise and just administration : so lord Capel was highly magnified, and they were as much complained of by all the English in Ireland. Lord Capel did undertake to manage a parliament so as to carry all things, if he was made lord deputy, and had power given him to place and displace such as he should name. This

was agreed to, and a parliament was held there, after he had made several removes. In the beginning of the session, things went smoothly; the supply that was asked for the support of that government was granted; all the proceedings in king James's parliament were annulled; and the great act of settlement was confirmed and explained as they desired: but this good temper was quickly lost by the heat of some who had great credit with lord Capel. Complaints were made of sir Charles Porter, the lord chancellor, who was beginning to set on foot a tory humour in Ireland, whereas it was certainly the interest of that government to have no other division among them but that of English and Irish, and of protestant and papist. Lord Capel's party moved in the house of commons, that Porter should be impeached; but the grounds upon which this motion was made appeared to be so frivolous, after the chancellor was heard by the house of commons, in his own justification, that he was voted clear from all imputation by a majority of two to one: this set the lord deputy and the lord chancellor, with all the friends of both, at so great a distance from each other, that it put a full stop, for some time, to all business.

Thus factions were formed in all the king's dominions; and he being for so much of the year at a great distance from the scene, there was no pains taken to quiet these, and to check the animosities which arose out of them. The king studied only to balance them, and to keep up among the parties a jealousy of one another, that so he might oblige them all to depend more entirely on himself.

As soon as the campaign was over in Flanders, the king intended to come over directly into England; but he was kept long on the other side by contrary winds. The first point that was under debate upon his arrival was, whether a new parliament should be summoned, or the old one be brought together again, which by the law that was lately passed, might sit till lady-day\*. The happy state the nation was in put all men, except the merchants, in a good temper; none could be sure we should be in so good a state next year; so that now probably elections would fall on men, who were well affected to the government; a parliament that saw itself in its last session, might affect to be froward, the members by such a behaviour, hoping to recommend themselves to the next election; besides, if the same parliament had been continued, probably the inquiries into corruption would have been carried on, which might divert them from more pressing affairs, and kindle greater heats: all which might be more decently dropped by a new parliament than suffered to lie asleep by the old one. These considerations prevailed, though it was still believed that the king's own inclinations led him to have continued the parliament yet one session longer; for he reckoned he was sure of the major vote in it. Thus this parliament was brought to a conclusion, and a new one was summoned.

The king made a progress to the north; and staid some days at the earl of Sunderland's, which was the first public mark of the high favour he was in. The king studied to constrain himself to a little more openness and affability than was natural to him; but his cold and dry way had too deep a root not to return too oft upon him: the jacobites were so descried, that few of them were elected; but many of the sourer sort of whigs, who were much alienated from the king, were chosen: generally, they were men of estates; but many were young, hot, and without experience. Foley was again chosen speaker, the demand of the supply was still very high, and there was a great arrear of deficiencies: all was readily granted, and lodged on funds that seemed to be very probable.

The state of the coin was considered, and there were great and long debates about the proper remedies. The motion of raising the money above its intrinsic value was still much pressed; many apprehended this matter could not be cured, without casting us into great disorders: our money, they thought, would not pass, and so the markets would not be furnished; and it is certain, that if there had been ill humours then stirring in the nation, this might have cast us into great convulsions. But none happened, to the disappointment of our enemies, who had their eyes and hopes long fixed on the effects this might produce. All came, in the end, to a wise and happy resolution of recoinage all the specie of England, in milled money: all the old money was ordered to be brought in, in public payments or

\* The "Shrewsbury Correspondence" informs us that a general election had been resolved before the king left Newark.

loans, to the exchequer, and that by degrees ; first, the half-crown pieces, and the rest of the money by a longer day ; money of a bad alloy, as well as clipped money, was to be received, though this was thought an ill precedent, and that it gave too much encouragement to false coining, yet it was judged necessary upon this occasion, and it gave a present calm to a ferment that was then working all England over. Twelve hundred thousand pounds was given to supply the deficiency of the bad and clipped money. So this matter was happily settled, and was put in a way to be effectually remedied ; and it was executed with an order and a justice, with a quiet and an exactness, beyond all men's expectation. So that we were freed from a great and threatening mischief, without any of those effects that were generally apprehended from it\*.

The Bill of trials, in cases of treason, was again brought into the house of commons, and passed there ; when it came up to the lords, they added the clause for summoning all the peers to the trial of a peer, which was not easily carried ; for those who wished well to the bill looked on this as a device to lose it, as no doubt it was, and therefore they opposed it ; but, contrary to the hopes of the court, the commons were so desirous of the bill, that when it came down to them they agreed to the clause, and so the bill passed, and had the royal assent.

A severe bill was brought in for voiding all the elections of parliament men, where the elected had been at any expense in meat, drink, or money, to procure votes. It was very strictly penned ; but time must show whether any evasions can be found out to avoid it. Certainly, if it has the desired effect, it would prove one of the best laws that ever was made in England ; for abuses in elections were grown to most intolerable excesses, which threatened even the ruin of the nation. Another act passed against unlawful and double returns, for persons had been often returned, plainly contrary to the vote of the majority ; and in boroughs, where there was a contest, between the select number of the Corporation, and the whole populace ; both sides had obtained favourable decisions, as that side prevailed, on which the person elected happened to be : so both elections were returned, and the house judged the matter. But by this act, all returns were ordered to be made according to the last determination of the house of commons. These were thought good securities for future parliaments ; it had been happy for the nation, if the first of these had proved as effectual as the last was.

Great complaints were made in both houses of the act for the Scotch East India company, and addresses were made to the king, setting forth the inconveniences that were likely to arise from thence to England ; the king answered, that he had been ill served in Scotland, but he hoped remedies should be found to prevent the ill consequences, that they apprehended from the act : and soon after this, he turned out both the secretaries of state, and the marquis of Tweeddale, and great changes were made in the whole ministry of that kingdom, both high and low. No enquiry was made, nor proceedings ordered, concerning the business of Glencoe, so that furnished the libellers with some colours in aspersing the king, as if he must have been willing to suffer it to be executed, since he seemed so unwilling to let it be punished.

But when it was understood in Scotland, that the king had disowned the act for the East India company, from which it was expected that great riches should flow into that kingdom, it is not easy to conceive how great and how general an indignation was spread over the whole kingdom ; the jacobites saw what a game it was likely to prove in their hands, they played it with great skill, and to the advantage of their cause, in a course of many years, and continue to manage it to this day. There was a great deal of noise made of the Scotch act in both houses of parliament in England by some who seemed to have no other design in that, but to heighten our distractions by the apprehensions that they expressed. The Scotch nation fancied nothing but mountains of gold, and the credit of the design rose so high, that subscriptions were made, and advances of money were offered, beyond what any

\* The cause of the coin being so liable to suffer by clipping, was its being broad and thin, from being old and hammered. The fresh issue, mentioned in the text, was called "the grand recoinage of 1696." It amounted to £6,400,000 sterling. To expedite the issue, country

mints were established at Bristol, Chester, Exeter, Norwich, and York. The pieces there struck have the first letter of these names under the bust of the king. (*Essay on Medals*, 153. ed. 1784.)



believed the wealth of that kingdom could have furnished. Paterson came to have such credit among them, that the design of the East India trade, how promising soever, was wholly laid aside; and they resolved to employ all their wealth in the settling a colony, with a port and fortifications, in Darien; which was long kept a secret, and was only trusted to a select number empowered by this new company, who assumed to themselves the name of the African company, though they never meddled with any concern in that part of the world. The unhappy progress of this affair will appear in its proper time.

The losses of the merchants gave great advantages to those who complained of the administration; the conduct, with relation to our trade, was represented as at best a neglect of the nation, and of its prosperity. Some, with a more spiteful malice, said it was designed that we should suffer in our trade, that the Dutch might carry it from us; and how extravagant soever this might seem, it was often repeated by some men of virulent tempers. And in the end, when all the errors, with relation to the protection of our trade, were set out and much aggravated, a motion was made to create by act of parliament, a council of trade.

This was opposed by those who looked on it as a change of our constitution, in a very essential point. The executive part of the government was wholly in the king; so that the appointing any council, by act of parliament, began a precedent of their breaking in upon the execution of the law, in which it could not be easy to see how far they might be carried; it was indeed offered, that this council should be much limited as to its powers, yet many apprehended, that if the parliament named the persons, how low soever their powers might be at first, they would be enlarged every session; and from being a council to look into matters of trade, they would be next empowered to appoint convoys and cruisers; this in time might draw in the whole admiralty, and that part of the revenue or supply that was appropriated to the navy: so that a king would soon grow to be a duke of Venice, and indeed those who set this on most zealously did not deny that they designed to graft many things upon it.

The king was so sensible of the ill effects this would have, that he ordered his ministers to oppose it as much as possibly they could. The earl of Sunderland, to the wonder of many, declared for it, as all that depended on him promoted it; he was afraid of the violence of the republican party, and would not venture on provoking them; the ministers were much offended with him for taking this method to recommend himself at their cost; the king himself took it ill, and he told me, if he went on driving it as he did, that he must break with him; he imputed it to his fear; for the unhappy steps he had made in King James's time, gave his enemies so many handles and colours for attacking him, that he would venture on nothing that might provoke them. Here was a debate plainly in a point of prerogative, how far the government should continue on its ancient bottom of monarchy, as to the executive part, or how far it should turn to a commonwealth; and yet, by an odd reverse, the whigs, who were now most employed, argued for the prerogative, while the tories seemed zealous for public liberty: so powerfully does interest bias men of all forms.

This was going on, and probably would have passed in both houses, when the discovery of a conspiracy turned men's thoughts quite another way: so that all angry motions were let fall, and the session came to a very happy conclusion, with greater advantages to the king than could have been otherwise expected. We were all this winter alarmed, from many different quarters, with the insolent discourses of the jacobites, who seemed so well assured of a sudden revolution, which was to be both quick and entire, that at Christmas they said it would be brought about within six weeks. The French fleet, which we had so long shut up within Toulon, was now fitting out, and was ordered to come round to Brest; our fleet, that lay at Cadiz, was not strong enough to fight them, when they should pass the straits; Russel had come home, with many of the great ships, and had left only a squadron there; but a great fleet was ordered to go thither; it was ready to have sailed in December; but was kept in our ports by contrary winds till February: this was then thought a great unhappiness; but we found afterwards, that our preservation was chiefly owing to it: and it was so extraordinary a thing to see the wind fixed at south-west during the whole winter, that few could resist the observing a signal providence of God in it. We were all this while in great pain for Rook, who commanded the squadron that lay at Cadiz, and was likely to suffer for want of the provisions and stores which this fleet was to carry him, besides the

addition of strength this would bring him, in case the Toulon squadron should come about; we were only apprehensive of danger from that squadron, for we thought that we could be in none at home, till that fleet was brought about; the advertisements came from many places that some very important thing was ready to break out: it is true, the jacobites fed their party with such stories every year, but they both talked and wrote now with more than ordinary assurance. The king had been so accustomed to alarms and reports of this kind, that he had now so little regard to them as scarcely to be willing to hearken to those, who brought him such advertisements. He was so much set on preparing for the next campaign, that all other things were little considered by him.

But in the beginning of February, one captain Fisher came to the earl of Portland, and in general told him there was a design to assassinate the king; but he would not, or could not then, name any of the persons who were concerned in it: he never appeared more, for he had assurances given him, that he should not be made use of as a witness. Few days after that, one Pendergrass, an Irish officer, came to the earl of Portland, and discovered all that he knew of the matter; he freely told him his own name, but would not name any of the conspirators. La Rue, a Frenchman, came also to brigadier Levison, and discovered to him all that he knew; these two (Pendergrass and La Rue) were brought to the king apart, not knowing of one another's discovery; they gave an account of two plots then on foot, the one for assassinating the king, and the other for invading the kingdom. The king was not easily brought to give credit to this, till a variety of circumstances, in which the discoveries did agree, convinced him of the truth of the whole design.

It has been already told, in how many projects king James was engaged for assassinating the king; but all these had failed: so now one was laid that gave better hopes, and looked more like a military action than a foul murder. Sir George Berkeley, a Scotchman, received a commission from king James, to go and attack the prince of Orange in his winter quarters; Charnock, Sir William Perkins, Captain Porter, and La Rue, were the men to whose conduct the matter was trusted; the duke of Berwick came over, and had some discourse with them about the method of executing it. Forty persons were thought necessary for the attempt; they intended to watch the king as he should go out to hunt, or come back from it in his coach; some of them were to engage the guards, while others should attack the king, and either carry him off a prisoner, or, in case of any resistance, kill him. This soft manner was proposed, to draw military men to act in it, as a warlike exploit; Porter and Knightly went and viewed the grounds, and the way through which the king passed, as he went between Kensington and Richmond park, where he used to hunt commonly on Saturdays: and they pitched on two places, where they thought they might well execute the design. King James sent over some of his guards to assist in it; he spoke himself to one Harris, to go over and to obey such orders as he should receive from Berkeley; he ordered money to be given him, and told him that, if he was forced to stay long at Calais, the president there would have orders to furnish him\*.

When the duke of Berwick had laid the matter so well here, that he thought it could not miscarry, he went back to France, and met king James at St. Denis, who was come so far on his way from Paris. He stopped there, and after a long conference with the duke of Berwick, he sent him first to his queen at St. Germain, and then to the king of France, and he himself called for a notary, and passed some act; but it was not known to what effect. When that was done, he pursued his journey to Calais to set himself at the head of an army of about 20,000 men, that were drawn out of the garrisons which lay near that frontier. These being full in that season, an army was in a very few days brought together, without any previous warning or noise. There came every winter a coasting fleet from all the sea-ports of France to Dunkirk, with all the provisions for a campaign; and it was given out that the French intended an early one this year. So that this coasting fleet was ordered to be there by the end of January; thus here were transport-ships, as well as an army, brought together in a very silent manner; there was also a small fleet of cruizers, and some men of war ready to convoy them over; many regiments were embarked, and king James

\* For full particulars, see Blackmore's "History of the Assassination Plot."

was waiting at Calais for some tidings of that on which he chiefly depended ; for upon the first notice of the success of the assassination, he was resolved to have set sail : so near was the matter brought to a crisis, when it broke out by the discovery made by the persons above named. La Rue told all particulars with the greatest frankness, and named all the persons that they had intended to engage in the execution of it ; for several lists were among them, and those who concerted the matter had those lists given them, and took it for granted that every man named in those lists was engaged ; since they were persons on whom they depended, as knowing their inclinations, and believing that they would readily enter into the project, though it had not been at that time proposed to many of them, as it appeared afterwards. The design was laid to strike the blow on the 15th of February, in a lane that turns down from Turnham Green to Brentford ; and the conspirators were to be scattered about the green, in taverns and alehouses, and to be brought together upon a signal given. They were cast into several parties, and an aid-de-camp was assigned to every one of them, both to bring them together, and to give the whole the air of a military action : Pendergrass owned very freely to the king, that he was engaged in interest against him, as he was of a religion contrary to his. He said he would have no reward for his discovery ; but he hated a base action ; and the point of honour was the only motive that prevailed on him : he owned that he was desired to assist in seizing on him, and he named the person that was fixed on to shoot him ; he abhorred the whole thing, and immediately came to reveal it. His story did in all particulars agree with La Rue's ; for some time he stood on it, as a point of honour, to name no person ; but upon assurance given him that he should not be brought as a witness against them, he named all he knew. The king ordered the coaches and guards to be made ready next morning, being the 15th of February, and a Saturday, his usual day of hunting ; but some accident was pretended to cover his not going abroad that day. The conspirators continued to meet together, not doubting but that they should have occasion to execute their design the next Saturday : they had some always about Kensington, who came and went continually, and brought them an account of every thing that passed there. On Saturday, the 22d of February, they put themselves in a readiness, and were going out to take the posts assigned them ; but were surprised, when they had notice that the king's hunting was put off a second time ; they apprehended they might be discovered, yet as none were seized, they soon quieted themselves.

Next night, a great many of them were taken in their beds ; and the day following the whole discovery was laid before the privy council. At the same time, advices were sent to the king from Flanders, that the French army was marching to Dunkirk, on design to invade England. And now, by a very happy providence, though hitherto a very unacceptable one, we had a great fleet at Spithead ready to sail ; and we had another fleet, designed for the summer's service in our own seas, quite ready, though not yet manned. Many brave seamen, seeing the nation was in such visible danger, came out of their lurking holes, in which they were hiding themselves from the press, and offered their service ; and all people showed so much zeal, that in three days Russel, who was sent to command, stood over to the coast of France with a fleet of above fifty men of war. The French were amazed at this ; and upon it their ships drew so near their coasts, that he durst not follow them in such shallow water, but was contented with breaking their design, and driving them into their harbours. King James stayed for some weeks there ; but, as the French said, his malignant star still blasted every project that was formed for his service.

The court of France was much out of countenance with this disappointment ; for that king had ordered his design of invading England to be communicated to all the courts in which he had ministers : and they spoke of it with such an air of assurance, as gave violent presumptions that the king of France knew of the conspiracy against the king's person, and depended upon it ; for indeed, without that, the design was impracticable, considering how great a fleet we had at Spithead. Nor could any men of common sense have entertained a thought of it, but with a view of the confusion into which the intended assassination must have cast us. They went on in England seizing the conspirators ; and a proclamation was issued out, for apprehending those that absconded, with a promise of a thousand pounds reward to such as should seize on any of them, and the offer of a pardon to every conspirator that should seize on any of the rest. This set all people at work, and in a few weeks most



of them were apprehended; only Berkeley was not found, who had brought the commission from king James, though great search was made for him. For, though the reality of such a commission was fully proved afterwards, in the trials of the conspirators, by the evidence of those who had seen and read it all written in king James's own hand (such a paper being too important to be trusted to any to copy), yet much pains was taken to have found the very person who was entrusted with it: the commission itself would have been a valuable piece, and such an original as was not to be found any where.

The military men would not engage on other terms: they thought, by the laws of war, they were bound to obey all orders that run in a military style, and no other; and so they imagined that their part in it was as innocent as the going on any desperate design during a campaign. Many of them repined at the service, and wished that it had not been put on them; but, being commanded, they fancied that they were liable to no blame nor infamy, but ought to be treated as prisoners of war.

Among those who were taken, Porter and Pendergrass were brought in. Porter had been a vicious man, engaged in many ill things; and was very forward and furious in all their consultations. The lord Cutts, who, as captain of the guards, was present when the king examined Pendergrass, but did not know his name, when he saw him brought in pressed him to own himself and the service that he had already done; but he claimed the promise of not being forced to be a witness, and would say nothing. Porter was a man of pleasure, who loved not the hardships of a prison, and much less the solemnities of an execution; so he confessed all: and then Pendergrass, who had his dependence on him, freely confessed likewise. He said, Porter was the man who had trusted him; he could not be an instrument to destroy him; yet he lay under no obligations to any others among them. Porter had been in the management of the whole matter; so he gave a very copious account of it all, from the first beginning. And now it appeared, that Pendergrass had been but a very few days among them, and had seen very few of them; and that he came and discovered the conspiracy the next day after it was opened to him.

When by these examinations the matter was clear and undeniable, the king communicated it in a speech to both houses of parliament. They immediately made addresses of congratulation, with assurances of adhering to him against all his enemies, and in particular against king James; and after that, motions were made in both houses for an association, wherein they should own him as their rightful and lawful king, and promise faithfully to adhere to him against king James, and the pretended prince of Wales; engaging at the same time to maintain the act of succession, and to revenge his death on all who should be concerned in it. This was much opposed in both houses, chiefly by Seymour and Finch in the house of commons, and the earl of Nottingham in the house of lords. They went chiefly upon this, that "rightful and lawful" were words that had been laid aside in the beginning of this reign; that they imported one that was king by descent, and so could not belong to the present king. They said the crown and the prerogative of it were vested in him, and therefore they would obey him, and be faithful to him, though they could not acknowledge him their rightful and lawful king. Great exceptions were also taken to the word "revenge," as not of an evangelical sound; but that word was so explained, that these were soon cleared: revenge was to be meant in a legal sense, either in the prosecution of justice at home, or of war abroad; and the same word had been used in that association, into which the nation entered, when it was apprehended that queen Elizabeth's life was in danger by the practices of the queen of Scots. After a warm debate, it was carried in both houses, that an association should be laid on the table, and that it might be signed by all such as were willing of their own accord to sign it; only with this difference, that instead of the words "rightful and lawful king," the lords put these words, "That king William hath the right by law to the crown of these realms; and that neither king James, nor the pretended prince of Wales, nor any other person, has any right whatsoever to the same." This was done to satisfy those, who said they could not come up to the words "rightful and lawful:" and the earl of Rochester offering these words, they were thought to answer the ends of the association, and so were agreed to. This was signed by both houses, excepting only fourscore in the house of commons, and fifteen in the house of lords. The association was carried from the houses of parliament over all England, and was signed by all sorts of people, a very few only excepted

The bishops also drew a form for the clergy, according to that signed by the house of lords, with some small variation, which was so universally signed, that not above an hundred all England over refused it.

Soon after this, a bill was brought into the house of commons, declaring all men incapable of public trust, or to serve in parliament, who did not sign the association. This passed with no considerable opposition; for those who had signed it of their own accord, were not unwilling to have it made general; and such as had refused it when it was voluntary, were resolved to sign it as soon as the law should be made for it. And at the same time, an order passed in council, for reviewing all the commissions in England, and for turning out of them all those who had not signed the association, while it was voluntary; since this seemed to be such a declaration of their principles and affections, that it was not thought reasonable that such persons should be any longer either justices of peace, or deputy lieutenants.

The session of parliament was soon brought to a conclusion. They created one fund, upon which two millions and a half were to be raised, which the best judges did apprehend was neither just nor prudent. A new bank was proposed, called the Land Bank, because the securities were to be upon land: this was the main difference between it and the Bank of England; and by reason of this, it was pretended, that it was not contrary to a clause in the act for that bank, that no other bank should be set up in opposition to it. There was a set of undertakers, who engaged that it should prove effectual, for the money for which it was given. This was chiefly managed by Foley, Harley, and the tories: it was much laboured by the earl of Sunderland; and the king was prevailed on to consent to it, or rather to desire it, though he was then told by many, of what ill consequence it would prove to his affairs. The earl of Sunderland's excuse for himself, when the error appeared afterwards but too evidently, was, that he thought it would engage the tories in interest to support the government\*.

After most of the conspirators were taken, and all examinations were over, some of them were brought to their trials. Charnock, King, and Keys, were begun with: the design was fully proved against them. Charnock showed great presence of mind, with temper, and good judgment, and made as good a defence as the matter could bear; but the proof was so full, that they were all found guilty. Endeavours were used to persuade Charnock to confess all he knew, for he had been in all their plots from the beginning. His brother was employed to deal with him, and he seemed to be once in suspense; but the next time that his brother came to him, he told him, he could not save his own life without doing that which would take away the lives of so many, that he did not think his own life worth it. This showed a greatness of mind that had been very valuable, if it had been better directed. Thus this matter was understood at the time; but many years after this, the lord Somers gave me a different account of it. Charnock, as he told me, sent an offer to the king, of a full discovery of all their consultations and designs; and desired no pardon, but only that he might live in some easy prison; and if he was found to prevaricate, in any part of his discovery, he would look for the execution of the sentence. But the king apprehended, that so many persons would be found concerned, and thereby be rendered desperate, that he was afraid to have such a scene opened, and would not accept of this offer. At his death, Charnock delivered a paper, in which he confessed he was engaged in a design to attack the prince of Orange's guards: but he thought himself bound to clear king James from having given any commission to assassinate him. King's paper, who suffered with him, was to the same purpose; and they both took pains to clear all those of their religion from any accession to it. King expressed a sense of the unlawfulness of the undertaking, but Charnock seemed fully satisfied with the lawfulness of it. Keys was a poor ignorant trumpeter, who had his dependence on Porter, and now suffered chiefly upon his evidence, for which he was

\* The scheme of a Land Bank was suggested by Dr. Hugh Chamberlain, and was patronised by the tories, or landed interest, because they thought it would embarrass the whigs, and their monied supporters, the bank of England, &c. The new bank proposed to advance 2,000,000*l.* for the service of government, for which seven

per cent. was to be paid, and the privilege granted them of lending a certain sum annually on landed securities. It was sanctioned by an act of parliament, but when the day of payment came, the projectors failed to fulfil their engagements, and the scheme proved entirely abortive.—*Shrewsbury Correspondence.*

much reflected on. It was said that servants had often been witnesses against their masters, but that a master's witnessing against his servant was somewhat new and extraordinary.

The way that Charnock and King took to vindicate king James did rather fasten the imputation more upon him: they did not deny that he had sent over a commission to attack the prince of Orange, which, as Porter deposed, Charnock told him he had seen. If this had been denied by a dying man his last words would have been of some weight; but instead of denying that which was sworn, he only denied that king James had given a commission for assassination; and it seems great weight was laid on this word, for all the conspirators agreed in it, and denied that king James had given a commission to assassinate the prince of Orange. This was an odious word, and perhaps no person was ever so wicked as to order such a thing in so crude a manner; but the sending a commission to attack the king's person was the same thing upon the matter, and was all that the witnesses had deposed; therefore their not denying this, in the terms in which the witnesses swore it, did plainly imply a confession that it was true. But some who had a mind to deceive themselves or others, laid hold on this and made great use of it, that dying men had acquitted king James of the assassination. Such slight colours will serve, when people are engaged beforehand to believe as their affections lead them.

Sir John Friend and sir William Perkins were tried next. The first of these had risen from mean beginnings to great credit and much wealth: he was employed by king James, and had all this while stuck firm to his interests: his purse was more considered than his head, and was open on all occasions, as the party applied to him. While Parker was formerly in the Tower, upon information of an assassination of the king designed by him, he furnished the money that corrupted his keepers, and helped him to make his escape out of the Tower: he knew of the assassination, though he was not to be an actor in it; but he had a commission for raising a regiment for king James, and he had entertained and paid the officers who were to serve under him: he had also joined with those who had sent over Charnock, in May 1695, with the message to king James mentioned in the account of the former year; it appearing now, that they had then desired an invasion with eight thousand foot and one thousand horse, and had promised to join these with two thousand horse upon their landing. In this the earl of Aylesbury, the lord Montgomery, son to the marquis of Powys, and sir John Fenwick, were also concerned. Upon all this evidence Friend was condemned, and the earl of Aylesbury was committed prisoner to the Tower. Perkins was a gentleman of estate, who had gone violently into the passions and interests of the court in king Charles's time: he was one of the six clerks in chancery, and took all oaths to the government rather than lose his place. He did not only consent to the design of assassination, but undertook to bring five men who should assist in it, and he had brought up horses for that service from the country, but had not named the persons, so this lay yet in his own breast. He himself was not to have acted in it, for he likewise had a commission for a regiment; and therefore was to reserve himself for that service: he had also provided a stock of arms which were hid under ground, and were now discovered: upon this evidence he was condemned. Great endeavours were used both with Friend and him to confess all they knew. Friend was more sullen, as he knew less; for he was only applied to and trusted, when they needed his money. Perkins fluctuated more; he confessed the whole thing for which he was condemned, but would not name the five persons whom he was to have sent in to assist in the assassination. He said he had engaged them in it, so he could not think of saving his own life by destroying theirs. He confessed he had seen king James's commission; the words differed a little from those which Porter had told, but Porter did not swear that he saw it himself, he only related what Charnock had told him concerning it, yet Perkins said they were to the same effect: he believed it was all written with king James's own hand; he had seen his writing often, and was confident it was written by him: he owned that he had raised and maintained a regiment, but he thought he could not swear against his officers, since he himself had drawn them into the service; and he affirmed that he knew nothing of the other regiments. He sent for the bishop of Ely, to whom he repeated all these particulars, as the bishop himself told me: he seemed much troubled with a sense of his former life, which had been very irregular. The



house of commons sent some to examine him, but he gave them so little satisfaction that they left him to the course of the law. His tenderness in not accusing those whom he had drawn in, was so generous, that this alone served to create some regard for a man who had been long under a very bad character. In the beginning of April, Friend and he were executed together.

A very unusual instance of the boldness of the jacobites appeared upon that occasion: these two had not changed their religion, but still called themselves protestants; so three of the nonjuring clergymen waited on them to Tyburn, two of them had been often with Friend, and one of them with Perkins: and all the three at the place of execution joined to give them public absolution, with an imposition of hands, in the view of all the people; a strain of impudence that was as new as it was wicked, since these persons died owning the ill designs they had been engaged in, and expressing no sort of repentance for them. So these clergymen, in this solemn absolution, made an open declaration of their allowing and justifying these persons in all they had been concerned in: two of these were taken, and censured for this in the king's bench, the third made his escape.

Three other conspirators, Rookwood, Lowick, and Cranborn, were tried next. By this time the new act for trials in such cases began to take place, so these held long, for their counsel stuck upon every thing: but the evidence was now more copious, for three other witnesses came in, the government being so gentle as to pardon even the conspirators who confessed their guilt, and were willing to be witnesses against others. The first two were papists, they expressed their dislike of the design, but insisted on this, that as military men they were bound to obey all military orders; and they thought that the king, who knew the laws of war, ought to have a regard to this, and to forgive them. Cranborn called himself a protestant, but was more sullen than the other two; to such a degree of fury and perverseness had the jacobites wrought up their party. Knightly was tried next: he confessed all, and upon that, though he was condemned, he had a reprieve and was afterwards pardoned. These were all the trials and executions that even this black conspiracy drew from the government; for the king's inclinations were so merciful, that he seemed uneasy even under these acts of necessary justice.

Cook was brought next upon his trial on account of the intended invasion, for he was not charged with the assassination: his trial was considered as introductory to the earl of Aylesbury's, for the evidence was the same as to both. Porter and Goodman were two witnesses against him: they had been with him at a meeting, in a tavern in Leadenhall-street, where Charnock received instructions to go to France with the message formerly mentioned. All that was brought against this was, that the master of the tavern and two of his servants swore, that they remembered well when that company was at the tavern, for they were often coming into the room where they sat, both at dinner time and after it, and that they saw not Goodman there; nay, they were positive that he was not there. On the other hand, Porter deposed that Goodman was not with them at dinner, but that he came to that house after dinner, and sent him in a note, upon which he, with the consent of the company, went out and brought him in; and then it was certain that the servants of the house were not in that constant attendance, nor could they be believed in a negative against positive evidence to the contrary. Their credit was not such but that it might be well supposed, that, for the interest of their house, they might be induced to make stretches. The evidence was believed, and Cook was found guilty, and condemned: he obtained many short reprieves upon assurances that he would tell all he knew; but it was visible he did not deal sincerely; his punishment ended in banishment. Sir John Fenwick was taken not long after, going over to France, and was ordered to prepare for his trial, upon which he seemed willing to discover all he knew; and in this he went off and on, for he had no mind to die, and hoped to save himself by some practice or other. Several days were set for his trial, and he procured new delays by making some new discoveries. At last, when he saw that slight and general ones would not serve his turn, he sent for the duke of Devonshire, and wrote a paper as a discovery, which he gave him to be sent to the king; and that duke affirming to the lords justices that it was not fit that paper should be seen by any before the king saw it, the matter was suffered to rest for this time\*.

\* The chief of these prosecutions are in the 'State Trials.'

The summer went over, both in Flanders and on the Rhine, without any action. All the funds given for this year's service proved defective, but that of the Land bank failed totally, and the credit of the bank of England was much shaken. About five millions of clipped money was brought into the exchequer; and the loss that the nation suffered by the recoinage of the money, amounted to two millions and two hundred thousand pounds. The coinage was carried on with all possible haste; about eighty thousand pounds was coined every week; yet still this was slow, and the new money was generally kept up, so that for several months little of it appeared. This stop in the free circulation of money put the nation into great disorder. Those who, according to the act of parliament, were to have the first payments in milled money, for the loans they had made, kept their specie up, and would not let it go but at an unreasonable advantage. The king had no money to pay his army, so they were in great distress, which they bore with wonderful patience. By this means the king could undertake nothing, and was forced to lie on the defensive; nor were the French strong enough to make an impression in any place. The king had a mighty army, and was much superior to the enemy, yet he could do nothing; and it passed for a happy campaign because the French were not able to take any advantage from those ill accidents that our want of specie brought us under, which indeed were such, that nothing but the sense all had of the late conspiracy, kept us quiet and free from tumults. It now appeared what a strange error the king was led into, when he accepted of so great a sum to be raised by a Land bank. It was scarcely honourable, and not very safe at any time; but it might have proved fatal at a time in which money was likely to be much wanted, which want would have been less felt if paper credit had been kept up: but one bank working against another, and the goldsmiths against both, put us to great straits; yet the bank supplied the king in this extremity, and thereby convinced him that they were his friends in affection as well as interest\*.

The secret practices in Italy were now ready to break out. The pope and the Venetians had a mind to send the Germans out of Italy, and to take the duke of Savoy out of the necessity of depending on those they called heretics. The management in the business of Casal looked so dark, that the lord Galway, who was the king's general and envoy there, did apprehend there was something mysterious under it. One step more remained, to settle the peace there; for the duke of Savoy would not own that he was in any negotiation, till he should have received the advances of money that were promised him from England and Holland, for he was much set on the heaping of treasure, even during the war, to which end he had debased his coin so, that it was not above a sixth part in intrinsic value of what it passed for. He was always beset with his priests, who were perpetually complaining of the progress that heresy was like to make in his dominions. He had indeed granted a very full edict in favour of the Vaudois, restoring their former liberties and privileges to them, which the lord Galway took care to have put in the most emphatical words, and passed with all the formalities of law, to make it as effectual as laws and promises can be; yet every step that was made in that affair went against the grain, and was extorted from him by the intercession of the king and the States, and by the lord Galway's zeal.

\* The following contemporary song was published in "*Poems on Affairs of State*," vol. ii.—ed. 1703.

1.

Good people, what will you of all be bereft?  
Will you never learn wit while a penny is left?  
You are all, like the dog in the fable, betray'd  
To let go the substance and snatch at the shade;  
Your specious pretences, and foreign expenses,  
We war with religion, and waste all our chink,  
'Tis nipt and 'tis clipped, 'tis lent and 'tis spent,  
Till 'tis gone, till 'tis gone to the devil I think.

2.

We pay for our new-born, we pay for our dead,  
We pay if we're single, we pay if we're wed;

To show that our merciful senate don't fail  
To begin at the head, and tax down to the tail.  
We pay through the nose by subjecting foes,  
Yet for all our expenses get nothing but blows;  
At home we are cheated, abroad we're defeated,  
But the end on't, the end on't, the Lord above knows.

3.

We parted with *all our old money*, to shew  
We foolishly hoped for a plenty of new;  
But might have remember'd, when we came to the push,  
That a bird in the hand is worth two in the bush.  
We now, like poor wretches, are kept under hatches,  
At rack, and at manger, like beasts in the ark,  
Since our burghesses and knights make us pay for our *lights*,  
Why should we, why should we be kept in the dark?

\* Alluding to the window tax.

In conclusion, the French were grown so weary of that war, and found the charge of it so heavy, that they offered not only to restore all that had been taken, but to demolish Pignerol, and to pay the duke some millions of crowns; and to complete the whole, that the duke of Burgundy should marry his daughter. To this he consented; but to cover this defection from his allies, it was further agreed that Catinat should draw his army together before the duke could bring his to make head against him; and that he should be ordered to attempt the bombardment of Turin, that so the duke might seem to be forced by the extremity of his affairs to take such conditions as were offered him. He had a mind to have cast the blame on his allies, but they had assisted him more effectually at this time than on other occasions. A truce was first made, and that, after a few months, was turned into an entire peace; one article whereof was, that the Milanese should have a neutrality granted them in case the German forces were sent out of Italy. All the Italian princes and states concurred in this, to get rid of the Germans as soon as was possible; so the duke of Savoy promised to join with the French to drive them out. Valence was the first place that the duke of Savoy attacked; there was a good garri-on in it, and it was better provided than the places of the Spaniards generally were. It was not much pressed, and the siege held some weeks, many dying in it. At last the courts of Vienna and Madrid accepted of the neutrality, and engaged to draw the Germans out of these parts upon an advance of money, which the princes of Italy were glad to pay to be delivered of such troublesome guests.

Thus ended the war in Piedmont, after it had lasted six years. Pignerol was demolished; but the French, by the treaty, might build another fort at Fenestrella, which is in the middle of the hills; and so it will not be so important as Pignerol was, though it may prove an uneasy neighbour to the duke of Savoy. His daughter was received in France as duchess of Burgundy, though not yet of the age of consent, for she was but ten years old.

Nothing of consequence passed in Catalonia: the French went no further than Gironne, and the Spaniards gave them no disturbance. Both the king and queen of Spain were at this time so ill, that, as is usual upon such occasions, it was suspected they were both poisoned. The king of Spain relapsed often, and at last remained in that low state of health, in which he seemed to be always rather dying than living. The court of France were glad of his recovery; for they were not then in a condition to undertake such a war as the dauphin's pretensions must have engaged them in.

In Hungary the Turks advanced again towards Transylvania, where the duke of Saxony commanded the imperial army. The Turks did attack them, and they defended themselves so well, that though they were beat, yet it cost the Turks so dear, that the grand seignior could undertake nothing afterwards. The imperialists lost about five thousand men; but the Turks lost above twice that number, and the grand seignior went back with an empty triumph as he did the former year. But another action happened, in a very remote place, which may come to be of a very great consequence to him. The Muscovites, after they had been for some years under the divided monarchy of two brothers, or rather of a sister, who governed all in their name, by the death of one of these came now under one czar: he entered into an alliance with the emperor against the Turks; and Azoph, which was reckoned a strong place, that commanded the mouth of the Tanais, or Don, where it falls into the Meotis-palus, after a long siege was taken by his army. This opened the Euxine sea to him, so that if he be furnished with men skilled in the building and sailing of ships, this may have consequences that may very much distress Constantinople, and be in the end fatal to that empire. The king of Denmark's health was now on a decline, upon which the duke of Holstein was taking advantage, and new disputes were like to arise there.

Our affairs at sea went well with relation to trade: all our merchant fleets came happily home; we made no considerable losses; on the contrary, we took many of the French privateers; they now gained little in that way of war, which in some of the former years had been very advantageous to them. Upon the breaking out of the conspiracy, orders were sent to Cadiz for bringing home our fleet; the Spaniards murmured at this, though it was reasonable for us to take care of ourselves in the first place. Upon that the French fleet



was also ordered to come about : they met with rough weather, and were long in the passage ; so that if we had sent a squadron before Brest, we had probably made some considerable advantage ; but the fleet was so divided, that faction appeared in every order and in every motion ; nor did the king study enough to remedy this, but rather kept it up, and seemed to think that was the way to please both parties ; but he found afterwards, that by all his management with the tories he disgusted those who were affectionate and zealous for him, and that the tories had too deep an alienation from him to be overcome with good usage. Their submissions however to him gained their end, which was to provoke the whigs to be peevish and uneasy. Our fleet sailed towards the isle of Rhee, with some bomb vessels : some small islands were burnt and plundered, as St. Martin's was bombarded : the loss the French made was not considerable in itself, but it put their affairs in great distraction, and the charge they were at in defending their coast, was much greater than ours in attacking it. This was the state of affairs in England and abroad during the summer.

Scotland was falling into great misery by reason of two successive bad harvests, which exhausted that nation and drove away many of their people ; the greatest number went over to Ireland. A parliament was held at Edinburgh, and in a very thin house every thing that was asked was granted. They were in a miserable condition, for two such bad years lay extremely heavy on them.

This summer the French were making steps towards a peace : the court was very uneasy under so long and so destructive a war : the country was exhausted, they had neither men nor money ; their trade was sunk to nothing, and public credit was lost. The creation of new offices, which always was considered as a resource never to be exhausted, did not work as formerly ; few buyers or undertakers appeared. That king's health was thought declining ; he affected secrecy and retirement ; so that both the temper of his mind and the state of his affairs disposed him to desire a peace. One Callieres was sent to make propositions to the States, as D'Avaux was pressing the king of Sweden to offer his mediation : the States would hearken to no proposition till two preliminaries were agreed to ; the first was, that all things should be brought back to the state in which they were put by the treaties of Munster and Nimeguen. This imported not only the restoring Mons and Charleroy, but likewise Strasburg and Luxemburg, and that, in the state which they were in at present. The other preliminary was, that France should own the king whensoever the peace should be concluded. The emperor, who designed to keep off any negotiation as much as possible, moved that this should be done before the treaty was opened ; but the king thought the other was sufficient, and would not suffer the peace to be obstructed by a thing that might seem personal to himself. To all this the court of France, after some delays, consented ; but that spirit of chicane and injustice that had reigned so long in that court, did still appear in every step that was made, for they made use of equivocal terms in every paper that was offered in their name. The States had felt the effects of these in their former treaties too sensibly not to be now on their guard against them. The French still returned to them, and when some points seemed to be quite settled new difficulties were still thrown in. It was proposed by the French that the popish religion must continue still at Strasburg, that the king of France could not in conscience yield that point. It was also pretended that Luxemburg was to be restored in the same state in which it was when the French took it. These variations did almost break off the negotiation, but the French would not let it fall, and yielded them up again ; so it was visible all this was only an amusement and an artifice, by this shew of peace, to get the parliament of England to declare for it ; since as a trading nation must grow weary of war, so the party they had among us would join in with the inclination that was now become general, to promote the peace ; for though our affairs were in all respects, except that of the coin, in so good a condition that we felt ourselves grow richer by the war, yet during each campaign we ran a greater risk than our enemies did ; for all our preservation hung on the single thread of the king's life, and on that prospect the party that wrought against the government had great hopes, and acted with much spirit during the war, which we had reason to think must sink with a peace.

The parliament met in November ; and at the opening of the session, the king in his speech to the two houses, acquainted them with the overtures that were made towards a

peace; but added, that the best way to obtain a good one, was to be in a posture for carrying on the war. The great difficulty was to find a way to restore credit: there was a great arrear due; all funds had proved deficient, and the total failing of the Land bank had brought a great confusion on all payments: the arrears were put upon the funds of the revenue, which had been granted for a term of but five years, and that was now ending; so a new continuance of those revenues was granted, and they were put under the management of the bank of England, which, upon that security, undertook the payment of them all. It was long before all this was fully settled: the bank was not willing to engage in it, yet at last it was agreed, and the bank quickly recovered its credit so entirely, that there was no discount upon the notes. The arrear amounted to ten millions, and five millions more were to be raised for the charge of the following year; so that one session was to secure fifteen millions, a sum never before thought possible to be provided for in any one session. There was not specie enough for giving that quick circulation which is necessary for trade; so to remedy that, the treasury was empowered to give out notes to the value of almost three millions, which were to circulate as a species of money, and to be received in taxes, and were to sink gradually, as the money should arise out of the fund that was created to answer them; by these methods all the demands, both for arrears and for the following year, were answered. The commons sent a bill to the lords, limiting elections to future parliaments, that none should be chosen but those who had such a proportion of estate or money: the lords rejected it: they thought it reasonable to leave the nation to their freedom in choosing their representatives in parliament. It seemed both unjust and cruel, that if a poor man had so fair a reputation as to be chosen, notwithstanding his poverty, by those who were willing to pay him wages, that he should be branded with an incapacity because of his small estate. Corruption in elections was to be apprehended from the rich rather than from the poor. Another bill was sent up by the commons, but rejected by the lords, prohibiting the importation of all East India silks and Bengala. This was proposed to encourage the silk manufacture at home, and petitions were brought for it by great multitudes, in a very tumultuary way; but the lords had no regard to that.

The great business of this session that held longest in both houses, was a bill relating to sir John Fenwick. The thing was of so particular a nature that it deserves to be related in a special manner; and the great share that I bore in the debate when it was in the house of lords, makes it more necessary for me copiously to enlarge upon it; for it may at first view seem very liable to exception, that a man of my profession should enter so far into a debate of that nature. Fenwick, when he was first taken, wrote a letter to his lady, setting forth his misfortune, and giving himself for dead unless powerful applications could be made for him, or that some of the jury could be hired to starve out the rest; and to that he added, "This, or nothing, can save my life." This letter was taken from the person to whom he had given it. At his first examination before the lords justices, he denied every thing, till he was shewed this letter, and then he was confounded. In his private treaty with the duke of Devonshire, he desired an assurance of life upon his promise to tell all he knew; but the king refused that, and would have it left to himself to judge of the truth and the importance of the discoveries he should make: so he, resolving to cast himself on the king's mercy, sent him a paper, in which after a bare account of the consultations among the jacobites (in which he took care to charge none of his own party) he said that king James and those who were employed by him, had assured them, that both the earls of Shrewsbury and Marlborough, the lord Godolphin and admiral Russel, were reconciled to him, and were now in his interests and acting for him\*. This was a discovery that could signify

\* The magnanimous conduct of the king upon this occasion is fully related in the "Shrewsbury Correspondence." He inclosed the calumniating paper to the duke of Shrewsbury, adding, "you are, I trust, too fully convinced of the entire confidence I place in you, to imagine that such an accusation has made any impression on me; if it had I should not have sent you this paper. You will observe the sincerity of this honest man, who only accuses those in my service, and not one of his own party."

The innocence of the duke was fully proved, and it is further shewn by the letter he wrote to the king upon the first information of sir John Fenwick's capture, and before he had brought charges against the duke. In this letter he expresses his conviction that, by proper management, sir John might be brought to give important information. This was not the conduct of a man conscious of his own guilt.

nothing but to give the king a jealousy of those persons; for he did not offer the least shadow or circumstance, either of proof or of presumption, to support this accusation. The king not being satisfied herewith, sent an order for bringing him to a trial, unless he made fuller discoveries: he desired to be further examined by the lords justices, to whom he, being upon oath, told some more particulars; but he took care to name none of his own side but those against whom evidence was already brought, or who were safe and beyond sea; some few others he named, who were in matters of less consequence that did not amount to high treason; he owned a thread of negotiations, that had passed between them and king James, or the court of France; he said the earl of Aylesbury had gone over to France, and had been admitted to a private audience of the French king, where he had proposed the sending over an army of thirty thousand men, and had undertaken that a great body of gentlemen and horses should be brought to join them. It appeared by his discoveries, that the jacobites in England were much divided: some were called compounders, and others noncompounders. The first sort desired securities from king James for the preservation of the religion and liberties of England; whereas the second sort were for trusting him upon discretion without asking any terms, putting all in his power, and relying entirely on his honour and generosity. These seemed indeed to act more suitably to the great principle upon which they all insisted, that kings have their power from God, and are accountable only to him for the exercise of it. Dr. Lloyd, the deprived bishop of Norwich, was the only eminent clergyman that went into this; and therefore all that party had, upon Sancroft's death, recommended him to king James to have his nomination for Canterbury.

Fenwick put all this in writing, upon assurance, that he should not be forced to witness any part of it. When that was sent to the king, all appearing to be so trifling, and no other proof being offered for any part of it, except his own word, which he had stipulated should not be made use of, his majesty sent an order to bring him to his trial; but as the king was slow in sending this order, so the duke of Devonshire, who had been in the secret management of the matter, was for some time in the country: the lords justices delayed the matter till he came to town; and then the king's coming was so near, that it was respited till he came over. By these delays, Fenwick gained his main design in them, which was to practise upon the witnesses.

His lady began with Porter; he was offered, that if he would go beyond sea, he should have a good sum in hand, and an annuity secured to him for his life; he hearkened so far to the proposition, that he drew those who were in treaty with him, together with the lady herself, who carried the sum that he was to receive, to a meeting, where he had provided witnesses, who should over-hear all that passed, and should, upon a signal, come in, and seize them with the money: which was done, and a prosecution upon it was ordered. The practice was fully proved, and the persons concerned in it were censured, and punished; so Porter was no more to be dealt with. Goodman was the other witness: first they gathered matter to defame him, in which his wicked course of life furnished them very copiously; but they trusted not to this method, and betook themselves to another, in which they prevailed more effectually; they persuaded him to go out of England: and by this means, when the last orders were given for Fenwick's trial, there were not two witnesses against him; so by the course of law, he must have been acquitted: the whole was upon this kept entire for the session of parliament. The king sent to the house of commons the two papers that Fenwick had sent him. Fenwick was brought before the house; but he refused to give any farther account of the matter contained in them; so they rejected them as false and scandalous, made only to create jealousies. And they ordered a bill of attainder to be brought against Fenwick, which met with great opposition in both houses, in every step that was made. The debates were the hottest, and held the longest, of any that I ever knew. The lords took a very extraordinary method to force all their absent members to come up; they sent messengers for them to bring them up, which seemed to be a great breach on their dignity; for the privilege of making a proxy was an undoubted right belonging to their peerage; but those who intended to throw out the bill, resolved to have a full house. The bill set forth the artifices Fenwick had used to gain delays; and the practice upon Porter, and Goodman's escape, the last having sworn treason against him at Cook's trial, and like-



wise to the grand jury, who had found the bill against him upon that evidence. So now Porter appearing, and giving his evidence against him, and the evidence that Goodman had given being proved, it was inferred that he was guilty of high treason, and that therefore he ought to be attainted.

The substance of the arguments brought against this way of proceeding, was, that the law was all men's security, as well as it ought to be their rule: if this was once broke through, no man was safe; men would be presumed guilty without legal proofs, and be run down, and destroyed by a torrent: two witnesses seemed necessary, by an indisputable law of justice, to prove a man guilty; the law of God, given to Moses, as well as the law of England, made this necessary; and, besides all former ones, the law lately made for trials in cases of treason, was such a sacred one, that it was to be hoped that even a parliament would not make a breach upon it. A written deposition was no evidence, because the person accused could not have the benefit of cross interrogating the witness, by which much false swearing was often detected: nor could the evidence given in one trial be brought against a man who was not a party in that trial: the evidence that was offered to a grand jury was to be examined all over again at the trial; till that was done, it was not evidence. It did not appear that Fenwick himself was concerned in the practice upon Porter; what his lady did could not be charged on him; no evidence was brought that Goodman was practised on; so his withdrawing himself could not be charged on Fenwick. Some very black things were proved against Goodman, which would be strong to set aside his testimony, though he were present; and that proof, which had been brought in Cook's trial against Porter's evidence, was again made use of, to prove that as he was the single witness, so he was a doubtful and suspected one: nor was it proper that a bill of this nature should begin in the house of commons, which could not take examinations upon oath. This was the substance of the arguments that were urged against the bill.

On the other hand it was said, in behalf of the bill, that the nature of government required that the legislature should be recurred to, in extraordinary cases, for which effectual provision could not be made by fixed and standing laws: our common law grew up out of the proceedings of the courts of law; afterwards, this, in cases of treason, was thought too loose: so the law in this point was limited, first by the famous statute in king Edward the Third's time, and then by the statute in king Edward the Sixth's time; the two witnesses were to be brought face to face with the person accused: and that the law, lately made, had brought the method of trials to a yet further certainty, yet in that, as well as in the statute of Edward III., parliamentary proceedings were still excepted; and indeed, though no such provision had been expressly made in the acts themselves, the nature of government puts always an exception in favour of the legislative authority. The legislature was indeed bound to observe justice and equity, as much, if not more, than the inferior courts; because the supreme court ought to set an example to all others; but they might see cause to pass over forms, as occasion should require; this was the more reasonable among us, because there was no nation in the world besides England, that had not recourse to torture, when the evidence was probable but defective; that was a mighty restraint, and struck a terror into all people; and the freest governments, both ancient and modern, thought they could not subsist without it. At present, the Venetians have their civil inquisitors, and the Grisons have their high courts of justice, which act without the forms of law, by the absolute trust that is reposed in them, such as the Romans reposed in dictators, in the time of their liberty. England had neither torture nor any unlimited magistrate in its constitution; and therefore, upon great emergencies, recourse must be had to the supreme legislature. Forms are necessary in subordinate courts, but there is no reason to tie up the supreme one by them: this method of attainder had been practised among us at all times; it is true what was done in this way at one time was often reversed at another; but that was the effect of the violence of the times, and was occasioned often by the injustice of those attainders; the judgments of the inferior courts were upon the like account often reversed; but when parliamentary attainders went upon good grounds, though without observing the forms of law, they were never blamed, not to say condemned. When poisoning was first practised in England, and put in a pot of porridge in the bishop of Rochester's house, this, which was only felony, was

by a special law made to be high treason ; and a new punishment was appointed by act of parliament ; the poisoner was boiled alive. When the nun of Kent pretended to visions, to oppose king Henry the Eighth's divorce, and his second marriage, and said, if he married again, he should not live long after it, but should die a villain's death ; this was judged in parliament to be high treason ; and she and her accomplices suffered accordingly. After that, there passed many attainders in that reign, only upon depositions, that were read in both houses of parliament : it is true these were much blamed, and there was great cause for it ; there were too many of them ; for this extreme way of proceeding is to be put in practice but seldom, and upon great occasions ; whereas many of these went upon slight grounds, such as the uttering some passionate and indecent words, or the using some embroidery in garments and coats of arms, with an ill intent. But that which was indeed execrable, was, that persons in prison were attainted, without being heard in their own defence ; this was so contrary to natural justice, that it could not be enough condemned. In king Edward the Sixth's time, the lord Seymour was attainted in the same manner, only with this difference, that the witnesses were brought to the bar, and there examined ; whereas, formerly, they proceeded upon some depositions that were read to them : at the duke of Somerset's trial, which was both for high treason and for felony, in which he was acquitted of the former, but found guilty of the latter, depositions were only read against him ; but the witnesses were not brought face to face, as he pressed they might be : upon which it was, that the following parliament enacted, that the accusers (that is the witnesses) should be examined face to face, if they were alive. In queen Elizabeth's time, the parliament went out of the method of law, in all the steps of their proceedings against the queen of Scots : it is true there were no parliamentary attainders in England during that long and glorious reign, upon which those who opposed the bill insisted much ; yet that was only, because there then was no occasion here in England for any such bill ; but in Ireland, where some things were notoriously true, which yet could not be legally proved, that government was forced to have, on many different occasions, recourse to this method. In king James the First's time, those who were concerned in the gunpowder plot, and chose to be killed, rather than taken, were by act of parliament attainted after their death ; which the courts of law could not do, since by our law, a man's crimes die with himself ; for this reason, because he cannot make his own defence, nor can his children do it for him. The famous attainder of the earl of Strafford, in king Charles the First's time, has been much and justly censured ; not so much because it passed by bill, as because of the injustice of it : he was accused for having said, upon the house of commons refusing to grant the subsidies, the king had asked, " That the king was absolved from all the rules of government, and might make use of force to subdue this kingdom." These words were proved only by one witness, all the rest of the council who were present, deposing, that they remembered no such words, and were positive, that the debate ran only upon the war with Scotland ; so that though " this kingdom," singly taken, must be meant of England, yet it might well be meant of " that kingdom," which was the subject then of the debate ; since then the words were capable of that favourable sense, and that both he who spoke them, and they who heard them, affirmed that they were meant and understood in that sense, it was a most pernicious precedent, first to take them in the most odious sense possible, and then to destroy him who said them, upon the testimony of one single, exceptionable witness ; whereas, if, upon the commons refusing to grant the king's demand, he had plainly advised the king to subdue his people by force, it is hard to tell what the parliament might not justly have done, or would not do again in the like case. In king Charles the Second's time, some of the most eminent of the regicides were attainted, after they were dead ; and in king James's time, the duke of Monmouth was attainted by bill : these last attainders had their first beginning in the house of commons. Thus it appeared, that these last two hundred years, not to mention much ancienter precedents, the nation had upon extraordinary occasions proceeded in this parliamentary way by bill. There were already many precedents of this method ; and whereas it was said, that an ill parliament might carry these too far, it is certain the nation, and every person in it, must be safe, when they are in their own hands, or in those of a representative chosen by themselves ; as, on the other hand, if that be ill chosen, there is no help for it ; the

nation must perish, for it is by their own fault ; they have already too many precedents for this way of proceeding, if they intend to make an ill use of them ; but a precedent is only a ground or warrant for the like proceeding, upon the like occasion.

Two rules were laid down for all bills of this nature ; first, that the matter be of a very extraordinary nature : lesser crimes had better be passed over than punished by the legislature. Of all the crimes that can be contrived against the nation, certainly the most heinous one is, that of bringing in a foreign force to conquer us ; this ruins both us and our posterity for ever : distractions at home, how fatal soever, even though they should end ever so tragically, as ours once did in the murder of the king, and in a military usurpation, yet were capable of a crisis and a cure. In the year 1660, we came again to our wits, and all was set right again ; whereas there is no prospect after a foreign conquest, but of slavery and misery ; and how black soever the assassinating the king must needs appear, yet a foreign conquest was worse, it was assassinating the kingdom ; and therefore the inviting and contriving that must be the blackest of crimes. But, as the importance of the matter ought to be equal to such an unusual way of proceeding, so the certainty of the facts ought to be such, that if the defects in legal proof are to be supplied, yet this ought to be done upon such grounds as make the fact charged appear so evidently true, that though a court of law could not proceed upon it, yet no man could raise in himself a doubt concerning it. Anciently, treason was judged, as felony still is, upon such presumptions as satisfied the jury ; the law has now limited this to two witnesses brought face to face ; but the parliament may still take that liberty which is denied to inferior courts, of judging this matter as an ordinary jury does in a case of felony. In the present case, there was one witness, *vizâ voce*, upon whose testimony several persons had been condemned, and had suffered ; and these neither at their trial, nor at their death, disproved, or denied, any circumstance of his depositions. If he had been too much a libertine in the course of his life, that did not destroy his credit as a witness : in the first trial this might have made him a doubtful witness, but what had happened since had destroyed the possibility even of suspecting his evidence ; a party had been in interest concerned to enquire into his whole life, and in the present case had full time for it ; and every circumstance of his deposition had been examined, and yet nothing was discovered that could so much as create a doubt ; all was still untouched, sound and true. The only circumstance in which the dying speeches of those who suffered on his evidence, seemed to contradict him, was concerning king James's commission ; yet none of them denied really what Porter had deposed, which was, that Charnock told him, that there was a commission come from king James, for attacking the prince of Orange's guards : they only denied that there was a commission for assassinating him. Sir John Friend, and sir William Perkins, were condemned for the consultation now given in evidence against Fenwick : they died, not denying it ; on the contrary, they justified all they had done. It could not be supposed that, if there had been a tittle in the evidence that was false, they should both have been so far wanting to themselves, and to their friends, who were to be tried upon the same evidence, as not to have declared it in the solemnest manner : these things were more undeniably certain than the evidence of ten witnesses could possibly be. Witnesses might conspire to swear a falsehood ; but in this case, the circumstances took away the possibility of a doubt. And therefore the parliament, without taking any notice of Goodman's evidence, might well judge Fenwick guilty, for no man could doubt of it in his own mind.

The ancient Romans were very jealous of their liberty ; but how exact soever they might be in ordinary cases, yet when any of their citizens seemed to have a design of making himself king, they either created a dictator to suppress or destroy him, or else the people proceeded against him in a summary way. By the Portian law, no citizen could be put to death for any crime whatsoever ; yet such regard did the Romans pay to justice, even above law, that, when the Campanian legion had perfidiously broken in upon Rhegium, and pillaged it, they put them all to death for it. In the famous case of Catiline's conspiracy, as the evidence was clear, and the danger extreme, the accomplices in it were executed, notwithstanding the Portian law ; and this was done by the order of the senate, without either hearing them make their own defence, or admitting them to claim the right, which the Valo-



rian law gave them, of an appeal to the people. Yet that whole proceeding was chiefly directed by the two greatest asserters of public liberty that ever lived, Cato and Cicero; and Cæsar, who opposed it, on pretence of its being against the Portian law, was for that reason suspected of being in the conspiracy: it appeared afterwards, how little regard he had, either to law or liberty, though, upon this occasion, he made use of the one to protect those who were in a plot against the other. This expression was much resented by those who were against this bill, as carrying a bitter reflection upon them for opposing it.

In conclusion, the bill passed by a small majority of only seven in the house of lords; the royal assent was soon given to it. Fenwick then made all possible applications to the king for a reprieve; and as a main ground for that, and as an article of merit, related how he had saved the king's life, two years before, as was already told in the beginning of the year 1695. But as this fact could not be proved, so it could confer no obligation on the king, since he had given him no warning of his danger; and according to his own story, had trusted the conspirators' words very easily when they promised to pursue their design no farther, which he had no reason to do. So that this pretension was not much considered; but he was pressed to make a full discovery; and for some days he seemed to be in some suspense what course to take. He desired to be secured, that nothing which he confessed should turn to his own prejudice. The house of lords sent an address to the king, entreating that they might be at liberty to make him this promise; and that was readily granted. He then farther desired, that, upon his making a full confession, he might be assured of a pardon without being obliged to become a witness against any other person: to this the lords answered, that he had to do with men of honour, and that he must trust to their discretion; that they would mediate for him with the king, in proportion as they should find his discoveries sincere and important: his behaviour to the king hitherto had not been such as to induce the lords to trust to his candour; it was much more reasonable that he should trust to them. Upon this all hopes of any discoveries from him were laid aside: but a matter of another nature broke out, which, but for its singular circumstances, scarcely deserves to be mentioned.

There was one Smith, a nephew of sir William Perkins, who had for some time been in treaty at the duke of Shrewsbury's office, pretending that he could make great discoveries, and that he knew all the motions and designs of the jacobites: he sent many dark and ambiguous letters to that duke's under secretary, which were more properly to be called amusements than discoveries; for he only gave hints and scraps of stories; but he had got a promise not to be made a witness, and yet he never offered any other witness, nor told where any of those he informed against were lodged, or how they might be taken. He was always asking more money, and bragging what he could do, if he were well supplied, and he seemed to think he never had enough. Indeed, before the conspiracy broke out, he had given such hints, that when it was discovered, it appeared he must have known much more of it than he thought fit to tell. One letter he wrote, two days before it was intended to have been put in execution, shewed, he must have been let into the secret very far (if this was not an artifice to lay the court more asleep), for he said, that as things ripened and came near execution, he should certainly know them better. It was not improbable that he himself was one of the five, whom Perkins undertook to furnish, for assisting in the assassination; and that he hoped to have saved himself by this pretended discovery, in case the plot miscarried. The duke of Shrewsbury acquainted the king with his discoveries, but nothing could then be made either of them or of him. When the whole plot was unravelled, it then was manifest from his letters, that he must have known more of it than he would own: but he still claimed the promise before made him, that he should not be a witness. Upon the whole, therefore, he rather deserved a severe punishment than any of those rewards which he pretended to. He was accordingly dismissed by the duke of Shrewsbury, who thought that even this suspicious behaviour of his did not release him from keeping the promises he had made him. Smith, thereupon, went to the earl of Monmouth, and possessed him with bad impressions of the duke of Shrewsbury, and found him much inclined to entertain them; he told him that he had made great discoveries, of which that duke would take no notice; and because the duke's ill health had obliged him to go into the country

two days before the assassination was intended, he put this construction upon it, that he was willing to be out of the way when the king was to be murdered. To fix this imputation, he shewed him the copies of all his letters, all of which, but the last more especially, had the face of a great discovery. The lord Monmouth carried this to court, and it made such an impression there, that the earl of Portland sent Smith money, and entertained him as a spy, but never could by his means learn any one real piece of intelligence. When this happened, the king was just going beyond sea; so Smith's letters were taken, and sealed up by the king's order, and left in the hands of sir William Trumball, who was the other secretary of state. This matter lay quiet till Fenwick began to make discoveries: and when lord Monmouth understood that he had not named himself (about which he expressed too vehement a concern) but that he had named lord Shrewsbury, it was said, that he entered into a negotiation with the duchess of Norfolk, that she should, by Fenwick's lady, encourage him to persist in his discoveries; and that he dictated some papers to the duchess that should be offered to him as an additional one, in which many little stories were related which had been told the king, and might be believed by him; and by these the king might have been disposed to believe the rest of Fenwick's paper: and the whole ended in some discoveries concerning Smith, which would naturally occasion his letters to be called for, and then they would probably have had great effect. The duchess of Norfolk declared, that he had dictated all these schemes of his to her, who copied them, and handed them to Fenwick; and that he had left one paper with her; it was short, but contained an abstract of the whole design, and referred to a larger one, which he had only dictated to her. The duchess said, she had placed a gentlewoman, who carried her messages to Fenwick's lady, to over-hear all that passed; so that she both had another witness to support the truth of what she related, and a paper left by him with her. She said that Fenwick would not be guided by him; and said, he would not meddle with contrived discoveries; that thereupon this lord was highly provoked: he said, if Fenwick would follow his advice, he would certainly save him; but if he would not, he would get the bill to pass. And, indeed, when that matter was depending, he spoke two full hours in the house of lords, in favour of the bill, with a peculiar vehemence. Fenwick's lady being much provoked at this, got her nephew, the earl of Carlisle, to move the lords, that Fenwick might be examined, concerning any advices that had been sent him, with relation to his discoveries: and upon this, Fenwick told what his lady had brought him, and thereupon the duchess of Norfolk and her confidant were likewise interrogated, and gave the account which I have here related: in conclusion, Smith's letters were read, and he himself was examined. This held the lords several days; for the earl of Portland, by the king's orders, produced all Smith's papers. By them it appeared, that he was a very insignificant spy, who was always insisting in his old strain of asking money, and taking no care to deserve it. The earl of Monmouth was, upon the accusation and evidence above-mentioned, sent to the Tower, and turned out of all his employments: but the court had no mind to have the matter farther examined into; for the king spoke to myself to do all I could to soften his censure, which he afterwards acknowledged I had done. I did not know what new scheme of confusion might have been opened by him in his own excuse. The house of lords was much set against him, and seemed resolved to go great lengths. To allay that heat, I put them in mind, that he set the revolution first on foot, and was a great promoter of it, coming twice over to Holland to that end: I then moved, that he should be sent to the Tower; this was agreed to, and he lay there till the end of the session, and was removed from all his places; but that loss, as was believed, was secretly made up to him, for the court was resolved not to lose him quite.

Fenwick seeing no hope was left, prepared himself to die; he desired the assistance of one of the deprived bishops, which was not easily granted; but in that, and in several other matters, I did him such service, that he wrote me a letter of thanks upon it. He was beheaded on Tower Hill, and died very composed, in a much better temper than was to be expected; for his life had been very irregular. At the place of his execution, he delivered a paper in writing, wherein he did not deny the facts that had been sworn against him; but complained of the injustice of the procedure, and left his thanks to those who had voted against the bill. He owned his loyalty to king James, and to the prince of Wales after

the attempt on which they had raised great expectations, and to which many undertakers had been drawn in. Our squadron was much superior to theirs, yet never engaged them; once indeed they came up to the French, and had some advantage over them; but did not pursue it. The French sailed to the north towards Newfoundland, where we had another squadron lying, which was sent with some land forces to recover Hudson's bay. These ships might have fallen upon the French, and would probably have mastered them; but as they had no certain account of their strength, so being sent out upon another service, they did not think it proper to hazard the attacking them. So the French got safe home, and the conduct of our affairs at sea was much censured; yet our admiralty declared themselves satisfied with the account the commanders gave of their proceedings. But that board was accused of much partiality; on all such occasions, the unfortunate must expect to be blamed: and, to outward appearance, there was much room given either to censure the orders, or the execution of them. The king owned he did not understand those matters; and Russel, now made earl of Orford, had both the admiralty and the navy board in a great dependence on himself, so that he was considered almost as much as if he had been lord high admiral. He was too much in the power of those in whom he confided, and trusted them too far; and it was generally believed that there was much corruption, as it was certain there was much faction, if not treachery, in the conduct of our marine. Our miscarriages made all people cry that we must have a peace, for we could not manage the war to any good purpose; since, notwithstanding our great superiority at sea, the French conducted their matters so much better than us, that we were losers, even on that element where we used to triumph most. Our squadron, in the bay of Mexico, did very little service; they only robbed and destroyed some of the French colonies: and that sent to Hudson's bay found it quite abandoned by the French, so that both returned home inglorious.

A great change of affairs happened this year in Poland; their king, John Sobieski, after he had long outlived the fame he had got by raising the siege of Vienna, died at last under a general contempt. He was going backwards and forwards, as his queen's negotiations in the court of France were entertained, or rejected. His government was so feeble and disjointed at home, that all their diets broke up upon preliminaries, before they could, according to their forms, enter upon business: he was set on heaping up wealth, which seemed necessary to give his son an interest in the succeeding election. And, upon his death, a great party appeared for him, notwithstanding the general aversion to the mother; but the Polish nobility resolved to make no haste with their election; they plainly set the crown to sale, and encouraged all candidates that would bid for it. One party declared for the prince of Conti, of which their primate, then a cardinal, was the head. The emperor did all he could to support the late king's son; but when he saw the French party were too strong for him, he was willing to join with any other pretender.

The duke of Lorrain, the prince of Baden, and Don Livio Odeschalchi, pope Innocent's nephew, were all named; but these not being likely to succeed, a negotiation was secretly managed with the elector of Saxony, which succeeded so well, that he was prevailed on to change his religion, to advance his troops towards the frontier of Poland, to distribute eight millions of florins among the Poles, and to promise to confirm all their privileges, and in particular to undertake the siege of Caminieck. He consented to all this, and declared himself a candidate a very few days before the election: and so he was set up by the imperialists in opposition to the French party; his party became quickly so strong, that though upon the first appearance at the election, while every one of the competitors was trying his strength, the French party was the strongest, and was so declared by the cardinal; yet when the other pretenders saw that they could not carry the election for themselves, they united in opposition to the French interest, and gave over all their voices to the elector of Saxony, by which his party became much the strongest: so he was proclaimed the elected king. The cardinal gave notice to the court of France of what had been done in favour of the prince of Conti; and desired that he might be sent quickly thither, well furnished with arms and ammunition, but chiefly with money. But the party for Saxony made more dispatch; that elector lay nearer, and had both his money and troops ready, so he took the oaths that were required, and got the change of his religion to be attested by the



imperial court: he made all the haste he could with his army to Cracow, and he was soon after crowned, to the great joy of the imperial party; but the inexpressible trouble of all his subjects in Saxony.

The secular men there saw, that the supporting this elective crown would ruin his hereditary dominions; and those, who laid the concerns of the protestant religion to heart, were much more troubled, when they saw that house, under whose protection their religion grew up at first, now fall off to popery. It is true, the present family, ever since Maurice's time, had showed very little zeal in that cause. The elected king had so small a share of religion in himself, that little was to be expected from him, nor was it much apprehended that he would become a bigot, or turn a persecutor; but such was the eagerness of the popish clergy towards the suppressing what they call heresy, and the perpetual jealousies with which therefore they would possess the Poles, were likely to be such, in case he used no violence towards his Saxon subjects, as possibly might have great effects on him: so that it is no wonder if they were struck with a general consternation upon his revolt. His electoress, though a very young person, descended of the house of Brandenburg, expressed so extraordinary a measure of zeal and piety upon this occasion, that it contributed much to the present quieting of their fears. The new king sent a popish stadtholder to Dresden; but so weak a man, that there was no reason to apprehend much from any conduct of his. He also sent them all the assurances that could be given in words, that he would make no change among them, nor has he hitherto made any steps towards it.

A very unusual accident happened at this time, that served not a little to his quiet establishment on the throne of Poland. The czar was so sensible of the defects of his education, that, in order to the correcting these, he resolved to go a little into the world for better information. He was forming great designs; he intended to make a navigable canal between the Volga and the Tanaïs, by which he might carry both materials and provisions for a fleet to Azoph; and when that communication was opened, he apprehended great things might be done afterwards. He therefore intended to see the fleets of Holland and England, and to make himself as much master of that matter as his genius could rise up to. He sent an embassy to Holland to regulate some matters of commerce, and to see if they would assist him in the war he was designing against the Turks. When the ambassadors were set out, he settled his affairs in such hands, as he trusted most to, and with a small retinue of two or three servants, he secretly followed his ambassadors, and quickly overtook them. He discovered himself first to the elector of Brandenburg, who was then in Prussia, looking on the dispute that was likely to arise in Poland, in which, if a war should follow, he might be forced to have a share. The czar concerned himself much in the matter, not only by reason of the neighbourhood, but because he feared that, if the French party should prevail, France being in alliance with the Turks, a king sent from thence would probably not only make a peace with the Turks, but turn his arms against himself, which would hinder all his designs for a great fleet. The French party was strongest in Lithuania; therefore the czar sent orders to his generals to bring a great army to the frontier of that duchy, to be ready to break into it, if a war should begin in Poland: and we were told that the terror of this had a great effect. From Prussia, the czar went into Holland, and thence came over to England; therefore I will refer all that I shall say concerning him to the time of his leaving England\*.

A fleet was ordered, at Dunkirk, to carry the prince of Conti to Poland. A squadron of ours, that lay before that port, kept him in for some time; at last he got out, and sailed to

\* This was Peter Michaelowitz, known as Peter the Great, czar of Russia. He was born in 1672, so that at the time he heroically resolved to submit to the privations he necessarily must undergo in making himself practically acquainted with naval architecture, he was but 24 years old. His whole life was spent in efforts that he considered would benefit his country. He entered the army as a common soldier, and performed the duties of every grade, until he attained the command of a body of troops, personally exhibiting his conviction of the necessity of submitting to discipline. In Holland he laboured as a common

shipwright in the dockyard; and then came and worked in a similar capacity in England for four months. Called home suddenly to repress an insurrection, after effecting this, he addressed himself to national improvements, founding schools, colleges, libraries, printing-presses, an observatory, &c. He died in 1725, and was succeeded by his wife, the celebrated czarina Catherine, who had been the not very virtuous daughter of a Livonian peasant. (Voltaire's *Life of Peter the Great*. Touke's *View of Russia*, &c.)

Dantzic; but that city had declared for the new king, so they would not suffer him to land, with all those that had come with him. They only consented to suffer himself to land, with a small retinue; this he thought would not become him, so he landed at Marienbourg, where he was met by some of the chief of his party. They pressed him to distribute the money that he had brought from France, among them, and promised to return quickly to him with a great force; but he was limited by his instructions, and would see a good force before he would part with his treasure. The new king sent some troops to disperse those, who were coming together to serve him, and these had once almost seized on the prince himself; but he acted after that with great caution, and would not trust the Poles. He saw no appearance of any force likely to be brought to him equal to the undertaking, and fearing lest, if he stayed too long, he should be frozen up in the Baltic, he came back to Dunkirk. The cardinal stood out still: the court of Rome rejoiced at the pretended conversion of the new king, and owned him; but he quickly saw such a scene of difficulties, that he had reason to repent his embarking himself in such a dangerous undertaking. This may prove of such importance, both to the political and religious concerns of Europe, that I thought it deserved that a particular mention should be made of it, though it lies at a great distance from us. It had some influence in disposing the French now to be more earnest for a peace; for if they had got a king of Poland in their dependence, that would have given them a great interest in the northern parts, with an easier access, both to assist the Turks and the malcontents in Hungary.

The negotiation for a peace was held at Ryswick, a house of the king's, between the Hague and Delft. The chief of our plenipotentiaries was the earl of Pembroke, a man of eminent virtue, and of great and profound learning, particularly in the mathematics. This made him a little too speculative and abstracted in his notions: he had great application; but he lived a little too much out of the world, though in a public station: a little more practice among men would have given him the last finishing. There was somewhat in his person and manner, that created him an universal respect: for we had no man among us whom all sides loved and honoured so much as they did him: there were two others joined with him in that embassy\*.

The king of Sweden was received as mediator; but he died before any progress was made in the treaty: his son, who succeeded him in his throne, was also received to succeed him in the mediation. The father was a rough and boisterous man; he loved fatigue, and was free from vice; he reduced his kingdom to a military state, and was ever going round it to see how his troops were ordered, and his discipline observed; he looked narrowly into the whole administration: he had quite altered the constitution of his kingdom. It was formerly changed from being an elective, to be an hereditary, kingdom; yet, till his time, it had continued to be rather an aristocracy than a monarchy. But he got the power of the senators to be quite taken away, so that it was left free to him to make use of such councillors as he should choose. The senators had enriched themselves, and oppressed the people;

\* Thomas Herbert, earl of Pembroke, was intended to practise at the bar; but the death of his elder brother precluded the necessity. His rank and fortune gave him great advantages; but it was his merit established him. A mind well furnished is seldom confined to one kind of excellence. Lord Pembroke had many. William sent him ambassador extraordinary to the states general, named him of his privy council, made him colonel of a regiment of marines, first commissioner of the admiralty, lord privy seal, first plenipotentiary of the treaty of Ryswick, knight of the garter, lord high admiral of England and Ireland, president of the council, and seven times lord justice during his absence on the continent. Queen Anne, George the First, and George the Second, continued to employ him in various offices. By all these sovereigns he was highly valued. Able in the cabinet, circumspect in negotiations, shining in the senate, dignified as vice-regent, yet equally pre-eminent in retirement. His learning made him a fit companion for the literati; fond of ancient history, he raised a collection of antiques that were unrivalled by any

private collector. Wilton will ever be a monument of his extensive knowledge, and the princely presents it contains, of the high estimation in which he was held by foreign potentates, as well as the many monarchs he saw and served at home. He lived rather as a primitive christian, in his behaviour meek, in his dress plain, rather retired, conversing but little.—(Noble's Continuation of Oranger.)

Edward Villiers, first earl of Jersey, held at several times the various appointments of master of the horse to the queen, one of the lord's justices of Ireland, ambassador to the states general and to France, and lord chamberlain of the household, dying the very day he was appointed to the office of lord privy seal in 1711. Letters of this nobleman, during the negotiation of the peace of Ryswick, are numerous in the "Shrewsbury Correspondence." Contemporary authorities agree in considering him a very cool-headed, talented, man.

Sir Joseph Williamson has been noticed in a previous page.

they had devoured the revenues of the crown; and in two reigns, in which the sovereign was long in a state of infancy, both in queen Christina's and in this king's time, the senators had taken care of themselves, and had stripped the crown. So the king moved for a general resumption, and this he obtained easily of the states, who, as they envied the wealth of the senators, so they hoped that, by making the king rich, the people would be less charged with taxes. This was not all: he got likewise an act of revision, by which those who had grants were to account for the mean profits, and this was applied even to those who had grants upon valuable considerations; for when it appeared that the valuable consideration was satisfied, they were to account for all they had received over and above that, and to repay this, with the interest of the money at 12 per cent. for all the years they had enjoyed it. This brought a great debt on all the senators and other families of the kingdom; it did utterly ruin them, and left them at mercy: and when the king took from them all they had, he kept them still in a dependence upon him, giving them employments in the army or militia that he set up.

After that, he procured of the states of his kingdom an absolute authority to govern them as he thought fit, and according to law; but even this limitation seemed uneasy, and their slavery was finished by another act which he obtained, that he should not be obliged to govern by law, but by his mere will and pleasure. So successful was he, in the space of five years, to ruin all the families in his kingdom, and to destroy their laws and liberties, and that by their own consent. He died when his son was but fifteen years old, and gave great hopes of being an active, warlike, and indefatigable prince, which his reign ever since has demonstrated to the world\*.

The first act of his reign was the mediation at Ryswick †, where the treaty went on but slowly, till Harlai, the first of the French plenipotentiaries, came to the Hague, who, as was believed, had the secret. He showed a fairer inclination than had appeared in the others, to treat frankly and honourably, and to clear all the difficulties that had been started before; but while they were negotiating, by exchanging papers, which was a slow method, subject to much delay and too many exceptions and evasions, the marshal Boufflers desired a conference with the earl of Portland, and by the order of their masters, they met four times, and were long alone. That lord told me himself, that the subject of those conferences was concerning king James. The king desired to know how the king of France intended to dispose of him, and how he could own him and yet support the other. The king of France would not renounce the protecting him, by any article of the treaty; but it was agreed between them, that the king of France should give him no assistance, nor give the king any disturbance on his account, and that he should retire from the court of France, either to Avignon, or to Italy. On the other hand, his queen should have fifty thousand pounds a year, which was her jointure, settled after his death, and that it should now be paid her, he being reckoned as dead to the nation; and in this the king very readily acquiesced: these meetings made the treaty go on with more dispatch, this tender point being once settled.

A new difficulty arose with relation to the empire. The French offered Brisach and Fribourg as an equivalent for Strasbourg: the court of Vienna consented to this, but the empire refused it. These places belonged to the emperor's hereditary dominions, whereas Strasbourg was a free city, as well as a protestant town; so the emperor was soon brought to accept of the exchange. All other matters were concerted. Spain was now as impatient of delays as France: England and the States had no other concern in the treaty but to secure their allies, and to settle a barrier in the Netherlands: so, in September, the treaty was signed by all except the German princes: but a set time was prefixed for them to come into it. The duke of Savoy was comprehended within it; and the princes of the empire, finding they could struggle no longer, did at last consent to it. A new piece of treachery against the protestant religion broke out in the conclusion of all: the French declared that that part of the palatinate which was stipulated to be restored in the state in which it was, by virtue of that article was to continue in the same state, with relation to religion, in

\* He was the celebrated frantically brave Charles the XII.

† Conducted by the regents appointed during the king's minority.



which it was at that time : by this, several churches were to be condemned that otherwise, according to the laws of the empire, and in particular of those dominions, were to be restored to the protestants : the elector palatine accepted of the condition very willingly, being bigoted to a high degree : but some of the princes, the king of Sweden in particular, as duke of Deuxponts, refused to submit to it : but this had been secretly concerted among the whole popish party, who are always firm to the interest of their religion, and zealous for them ; whereas the protestant courts are too ready to sacrifice the common interest of their religion to their own private advantage. The king was troubled at this treacherous motion, but he saw no inclination in any of the allies to oppose it with the zeal with which it was pressed on the other hand. The importance of the thing, sixteen churches being only condemned by it, as the earl of Pembroke told me, was not such as to deserve he should venture a rupture upon it : and it was thought the elector palatine might, on other accounts, be so obnoxious to the protestants, and might need their assistance and protection so much, that he would be obliged afterwards to restore these churches thus wrested from them. So the king contented himself with ordering his plenipotentiaries to protest against this, which they did in a formal act that they passed.

The king by this peace concluded the great design of putting a stop to the progress of the French arms, which he had constantly pursued from his first appearance on the stage, in the year 1672. There was not one of the allies who complained that he had been forgotten by him, or wronged in the treaty : nor had the desire of having his title universally acknowledged raised any impatience in him, or made him run into this peace with any indecent haste. The terms of it were still too much to the advantage of France ; but the length and charge of the war had so exhausted the allies, that the king saw the necessity of accepting the best conditions that could be got. It is true, France was more harassed by the war, yet the arbitrary frame of that government made their king master of the whole wealth of his people : and the war was managed on both sides, between them and us, with this visible difference, that every man who dealt with the French king was ruined by it ; whereas, among us, every man grew rich by his dealings with the king : and it was not easy to see how this could be either prevented or punished. The regard that is shown to the members of parliament among us makes that few abuses can be enquired into or discovered : and the king found his reign grow so unacceptable to his people, by the continuance of the war, that he saw the necessity of coming to a peace. The States were under the same pressure ; they were heavier charged, and suffered more by the war than the English. The French got indeed nothing by a war which they had most perfidiously begun ; they were forced to return to the peace of Nimeguen : Pignerol and Brisach, which cardinal Richelieu had considered as the keys of Italy and Germany, were now parted with ; and all that base practice of claiming so much under the head of reunions and dependencies, was abandoned : the duchy of Lorraine was also entirely restored : it was generally thought that the king of France intended to live out the rest of his days in quiet ; for his parting with Barcelona made all people conclude that he did not intend to prosecute the dauphin's pretensions upon the crown of Spain, after that king's death, by a new war ; and that he would only try how to manage it by negotiation.

The most melancholy part of this treaty was, that no advantages were got by it in favour of the protestants in France : the French refugees made all possible applications to the king, and to the other protestant allies ; but as they were no part of the cause of the war, so it did not appear that the allies could do more for them than to recommend them, in the warmest manner, to the king of France : but he was so far engaged in a course of superstition and cruelty, that their condition became worse by the peace : the court was more at leisure to look after them, and to persecute them, than they thought fit to do during the war. The military men in France did generally complain of the peace as dishonourable and base. The jacobites among us were the more confounded at the news of it, because the court of France did, to the last minute, assure king James that they would never abandon his interests : and his queen sent over assurances to their party here, that England would be left out of the treaty, and put to maintain the war alone : of which they were so confident, that they entered into deep wagers upon it ; a practice little known among us before

the war, but it was carried on, in the progress of it, to a very extravagant degree ; so that they were ruined in their fortunes, as well as sunk in their expectations, by the peace. It was said, king James's queen made a bold repartee to the French king, when he told her the peace was signed : she said she wished it might be such as should raise his glory as much as it might settle his repose\*.

But while the peace was concluded in these parts, the war between the emperor and the Turks went on in Hungary. The imperial army was commanded by prince Eugene, a brother of the count of Soissons, who, apprehending that he was not likely to be so much considered as he thought he might deserve in France, went and served the emperor, and grew up in a few years to be one of the greatest generals of the age.

The grand seignior came to command his armies in person, and lay encamped on both sides of the Theisse, having laid a bridge over the river. Prince Eugene marched up to him and attacked his camp on the west side of the river, and, after a short dispute, he broke in and was master of the camp, and forced all who lay on that side over the river. In this action many were killed and drowned : he followed them across the Theisse, and gave them a total defeat : most of their janissaries were cut off, and the prince became master of all their artillery and magazines : the grand seignior himself narrowly escaped, with a body of horse, to Belgrade. This was a complete victory, and was the greatest blow the Turks had received in the whole war. At the same time the czar was very successful on his side against the Tartarians. The Venetians did little on their part, and the confusions in Poland made that republic but a feeble ally : so that the weight of the war lay wholly on the emperor. But though he, being now delivered from the war with France, was more at leisure to prosecute this, yet his revenue was so exhausted, that he was willing to suffer a treaty to be carried on by the mediation of England and Holland ; and the French, being now no longer concerned to engage the Porte to carry on the war, the grand seignior fearing a revolution upon his ill success, was very glad to hearken to a treaty, which was carried on all this winter, and was finished the next year at Carlowitz, from which place it takes its name.

By it both parties were to keep that of which they were then possessed ; and so this long war of Hungary, which had brought both sides by turns very near the last extremities, was concluded by the direction and mediation of the king of England : upon which I will add a curious observation, that though it may seem to be out of the laws of history, yet, considering my profession, will I hope be forgiven.

Dr. Lloyd, the present most learned bishop of Worcester, who has now for above twenty years been studying the Revelations with an amazing diligence and exactness, had long before this year said, the peace between the Turks and the papal Christians was certainly to be made in the year 1698, which he made out thus :—The four angels, mentioned in the fourteenth chapter of the Revelations, that were bound in the river Euphrates, which he expounds to be the captains of the Turkish forces, that till then were subject to the sultan at Babylon, were to be loosed, or freed from that yoke, and to set up for themselves : and these were prepared to slay the third part of men, for an hour, a day, a month, and a year. He reckons the year, in St. John, is the julian year of three hundred and sixty-five days, that is, in the prophetic style, each day a year ; a month is thirty of these days, and a day

\* No English state measure of such importance as the peace of Ryswick was ever carried on whilst our chief officers of state were in comparative ignorance concerning the negotiations. The duke of Shrewsbury, writing to the earl of Jersey, then lord Villiers, says of the proceedings, "I am more ignorant than you can believe." The fact of so much secrecy being employed, even to those who in other respects were so much trusted, naturally causes a suspicion that some dirty, some disgraceful determinations were being concluded. It was unworthy of William and his protestant allies not to make some stipulations for the safety of the French huguenots ; it was a defalcation of honour on the part of Louis to acknowledge William as king of England, when he was pledged to

support the cause of James : it was base of all parties to abandon the interests of the house of Austria. There is no doubt that the terms were in favour of France ; and were of such a nature, that the agreement was rather a cessation of hostilities than a peace. The "partition treaty," a part of this unworthy negotiation, was carried on similarly without consulting the English ministry ; and was detrimental to our interests, as well as the cause of future hostilities. By thus slighting his ministers, William incurred another annoyance, he lost their confidence, and eventually caused their secession from his service. The whole of these negotiations are unfolded and illustrated in the "Shrewsbury Correspondence." See also the article "Beutinck," in the Biographia Britannica.

makes one ; which, added to the former number, makes three hundred and ninety-six. Now he proves from historians that Ottoman came, and began his conquests at Prouse, in the 1302 ; to which the former number, in which they were to slay the third part of men, being added, it must end in the year 1698 : and though the historians do not mark the hour, or the twelfth part of the day, or year, which is a month, that is, the beginning of the destruction the Turks were to make, yet he is confident, if that is ever known, that the prophecy will be found, even in that, to be punctually accomplished. After this, he thinks their time of hurting the papal Christians is at an end ; they may indeed still do mischief to the Muscovites, or persecute their own Christian subjects, but they can do no hurt to the papalins ; and he is so positive in this, that he consents that all his scheme should be laid aside, if the Turks engage in a new war with them : and I must confess, that their refusing now, in a course of three years, to take any advantage from the troubles in Hungary, to begin the war again, though we know they have been much solicited to it, gives for the present a confirmation to this learned prelate's exposition of that part of the prophecy\*.

The king came over to England about the middle of November, and was received by the city of London in a sort of triumph, with all the magnificence that he would admit. Some progress was made in preparing triumphal arches, but he put a stop to it ; he seemed, by a natural modesty, to have contracted an antipathy to all vain shows ; which was much increased in him by what he had heard of the gross excesses of flattery, to which the French have run beyond the examples of former ages, in honour of their king ; who having shown too great a pleasure in these, they have been so far pursued, that the wit of that nation has been for some years chiefly employed on these ; for they saw that men's fortunes were more certainly advanced by a new and lively invention in that way, than by any service or merit whatsoever. This, in which that king has seemed to be too much pleased, rendering him contemptible to better judges, gave the king such an aversion to every thing that looked that way, that he scarcely bore even with things that were decent and proper.

The king ordered many of his troops to be disbanded soon after the peace ; but a stop was put to that, because the French were very slow in evacuating the places that were to be restored by the treaty, and were not beginning to reduce their troops : so though the king declared what he intended to do, yet he made no haste to execute it, till it should appear how the French intended to govern themselves. The king thought it was absolutely necessary to keep up a considerable land force ; he knew the French would still maintain great armies, and that the pretended prince of Wales would certainly be assisted by them, if England should fall into a feeble and defenceless condition : the king of Spain was also in such an uncertain state of health, so weak, and so exhausted, that it seemed necessary that England should be in a condition to bar France's invading that empire, and to maintain the rights of the house of Austria. But though he explained himself thus in general to his ministers, yet he would not descend to particulars, to tell how many he thought necessary, so that they had not authority to declare what was the lowest number the king insisted on.

Papers were written on both sides, for and against a standing force ; on the one hand, it was pretended that a standing army was incompatible with public liberty, and according to the examples of former times, the one must swallow up the other. It was proposed that the militia might be better modelled, and more trained, which, with a good naval force, some thought would be an effectual security against foreign invasions, as well as it would maintain our laws and liberties at home. On the other side, it was urged, that since all our neighbours were armed, and the most formidable of them all kept up such a mighty force, nothing could give us a real security, but a good body of regular troops ; nothing could be made of the militia, chiefly of the horse, but at a vast charge ; and if it was well regulated

\* Dr. Lloyd is stated by the earl of Dartmouth to have had very erroneous opinions in his old age, respecting the overthrow of papacy, and the approach of the millennium. In the year 1712, he told the queen he was convinced that within four years these events would occur. He was then more than eighty. He stated this in the presence of the lord-treasurer, Oxford, who objected different interpretations to those made by the bishop, which

enraged the aged prelate extremely, he replied, with great passion and rudeness, "So says your treasurer, but God says otherwise, whether he likes it or not." So sincere was the conviction of this worthy prelate upon these points, that he told the queen, that if he was not right he did not know how to discern truth ; and requested he might be removed from his bishopric, as unfit to explain the Gospel to others.—Oxford ed. of this work.



England, his queen should enjoy her jointure, that was 50,000*l.* a year: and it was intended to settle a court about the duke of Gloucester, who was then nine years old: so, to enable the king to bear that expense, this large provision was made for the Civil List. But by some great error in the management, though the court never had so much, and never spent so little, yet payments were ill made, and, by some strange consumption, all was wasted.

While the house of commons was seeking a fund for paying the arrears of the army, and for the expense at sea and land for the next year, a proposition was made for constituting a new East India company, who should trade with a joint-stock, others being admitted in a determinate proportion to a separate trade. The old East India company opposed this, and offered to advance a sum (but far short of what the public occasions required,) for an act of parliament that should confirm their charters. The projectors of the new company offered two millions, upon the security of a good fund, to pay the interest of their money at eight per cent. Great opposition was made to this: for the king, upon an address that was made to him by the house of commons, had granted the old company a new charter, they being obliged to take in a new subscription of 700,000*l.* to increase their stock and trade. Those empowered by this new charter were not charged with any malversation; they had been trading under great disadvantages, and with great losses, by reason of the war. It is true the king had reserved a power to himself, by a clause in the charter, to dissolve them, upon warning given three years before such dissolution: so it was said that no injustice was done them, if public notice should be given of such an intended dissolution. To this it was answered, that the clause reserving that power was put in many charters, but that it was considered only as a threatening, obliging them to a good conduct; but that it was not ordinary to dissolve a company by virtue of such a clause, when no error or malversation was objected. The old company came at last to offer the whole sum that was wanted; but the party was now formed, so they came too late; and this had no other effect but to raise a clamour against this proceeding, as extremely rigorous, if not unjust. This threw the old company and all concerned in it into the hands of the tories, and made a great breach and disjoining in the city of London. And it is certain that this act, together with the inclinations which those of the whigs, who were in good posts, had expressed for keeping up a greater land force, did contribute to the blasting the reputation they had hitherto maintained of being good patriots, and was made use of over England by the tories, to disgrace both the king and them. To this another charge of a high nature was added, that they robbed the public, and applied much of the money that was given for the service of the nation both to the supporting a vast expense, and to the raising great estates to themselves. This was sensible to the people, who were uneasy under heavy taxes, and were too ready to believe that, according to the practice in king Charles's time, a great deal of the money that was given in parliament was divided among those who gave it. These clamours were raised and managed with great dexterity by those who intended to render the king, and all who were best affected to him, so odious to the nation, that by this means they might carry such an election of a new house of commons, as that by it all might be overturned. It was said that the bank of England and the new East India company, being in the hands of whigs, they would have the command of all the money, and, by consequence, of all the trade of England: so a great party was raised against the new company in both houses; but the act for it was carried. The king was very indifferent in the matter at first, but the greatness of the sum that was wanted, which could not probably be raised by any other project, prevailed on him; the interests of princes carrying them often to act against their private opinions and inclinations.

Before the king went into Holland, which was in July, news came from Spain that their king was dying. This alarm was often given before, but it came much quicker now. The French upon this sent a fleet to lie before Cadiz, which came thither at the time that the galleons were expected home from the West Indies; and it was apprehended that, if the king had died, they would have seized on all that treasure. We sent a fleet thither to secure them, but it came too late to have done any service, if it had been needed; this was much censured, but the admiralty excused themselves, by saying that the parliament was so late in

fixing the funds for the fleet, that it was not possible to be ready sooner than they were. The king of Spain recovered for that time, but it was so far from any entire recovery, that a relapse was still apprehended. When the king went to Holland, he left some sealed orders behind him, of which some of his ministers told me they knew not the contents till they were opened: by these, the king ordered sixteen thousand men to be kept up: for excusing this, it was said, that though the parliament had in their votes mentioned only ten thousand land men, to whom they had afterwards added three thousand marines, and had raised only the money necessary for that number, yet no determined number was mentioned in the act itself: so, since the apprehension of the king of Spain's death made it advisable to have a greater force ready for such an accident, the king resolved to keep up a force somewhat beyond that which the house of commons had consented to: the leaving these orders sealed, made the whole blame to be cast singly on the king, as it screened the ministers from a share in this counsel. And we have more than once known ministers put the advices that they themselves gave in such a manner on their masters, that in executing them our kings have taken more care to shelter their ministers than to preserve themselves.

The king, before his leaving England, settled a household about the duke of Gloucester: the earl of Marlborough, who was restored to favour, was made his governor, and I was named by the king to be his preceptor. I used all possible endeavours to excuse myself: I had hitherto no share in the princess's favour or confidence: I was also become uneasy at some things in the king's conduct: I considered him as a glorious instrument, raised up by God, who had done great things by him: I had also such obligations to him, that I had resolved, on public as well as on private accounts, never to engage in any opposition to him, and yet I could not help thinking he might have carried matters further than he did; and that he was giving his enemies handles to weaken his government. I had tried, but with little success, to use all due freedom with him; he did not love to be found fault with; and though he bore every thing that I said very gently, yet he either discouraged me with silence, or answered in such general expressions, that they signified little or nothing. These considerations disposed me rather to retire from the court and town, than to engage deeper in such a constant attendance, for so many years as this employment might run out to. The king made it indeed easy in one respect; for, as the young prince was to be all the summer at Windsor, which was in my diocese, so he allowed me ten weeks in the year for the other parts of my diocese. All my endeavours to decline this were without effect; the king would trust that care only to me, and the princess gave me such encouragement, that I resolved not only to submit to this, which seemed to come from a direction of Providence, but to give myself wholly up to it. I took to my own province the reading and explaining the Scriptures to him, the instructing him in the principles of religion, and the rules of virtue, and the giving him a view of history, geography, politics, and government. I resolved also to look very exactly to all the masters that were appointed to teach him other things\*. But now I turn to give an account of some things that more immediately belong to my own profession.

This year, Thomas Firmin, a famous citizen of London, died: he was in great esteem for promoting many charitable designs, for looking after the poor of the city, and setting them to work, for raising great sums for schools and hospitals, and indeed for charities of all sorts, private and public: he had such credit with the richest citizens, that he had the com-

\* William, duke of Gloucester, was the only offspring of queen Anne that almost outlived childhood. When the king placed him under the tuition of the earl of Marlborough to learn the art of war, he complimented the earl by saying, "Teach him to be what you are, and my nephew cannot want accomplishments." His life was sacrificed, like Edward the Sixth's, to his too devoted attention to his studies. He understood the terms of fortification and navigation; would marshal a company of boys, who had voluntarily enlisted to attend him; studied history, politics, geography, and religion, assiduously; delighted in martial sports and hunting, as relaxations; and was so pious and sweetly tempered, that he was gene-

rally admired and beloved. It will be seen in a future page that he died in 1700, having just completed his eleventh year. His mother never ceased to remember or to lament him, ever after signing herself, when writing to lady, afterwards the duchess of, Marlborough, "your poor, unfortunate, faithful, Morley," the name she had adopted in her private correspondence with her confidante; who in this intercourse adopted the signature of "Fireman."—(Noble's Continuation of Grainger.) We may estimate the national sorrow upon this event by remembering how much the loss of the princess Charlotte was lamented by every Englishman.

mand of great wealth as oft as there was occasion for it : and he laid out his own time chiefly in advancing all such designs. These things gained him a great reputation. He was called a socinian, but was really an arian, which he very freely owned before the revolution ; but he gave no public vent to it, as he did afterwards. He studied to promote his opinions, after the revolution, with much heat : many books were printed against the Trinity, which he dispersed over the nation, distributing them freely to all who would accept of them : profane wits were much delighted with this : it became a common topic of discourse to treat all mysteries in religion as the contrivances of priests, to bring the world into a blind submission to them : priestcraft grew to be another word in fashion, and the enemies of religion vented all their impieties under the cover of these words ; but while these pretended much zeal for the government, those who were at work to undermine it made great use of all this : they raised a great outcry against socinianism, and gave it out that it was likely to overrun all ; for archbishop Tillotson and some of the bishops had lived in great friendship with Mr. Firmin, whose charitable temper they thought it became them to encourage. Many undertook to write in this controversy ; some of these were not fitted for handling such a nice subject. A learned deist made a severe remark on the progress of this dispute : he said, he was sure the divines would be too hard for the socinians, in proving their doctrines out of Scripture ; but if the doctrine could be once laughed at and rejected as absurd, then its being proved, how well soever out of Scripture, would turn to be an argument against the Scriptures themselves, as containing such incredible doctrines.

The divines did not go all in the same method, nor upon the same principles. Dr. Sherlock engaged in the controversy : he was a clear, a polite, and a strong writer, and had got great credit in the former reign by his writings against those of the church of Rome ; but he was apt to assume too much to himself, and to treat his adversaries with contempt ; this created him many enemies, and made him pass for an insolent, haughty man : he was at first a jacobite, and while, for not taking the oaths, he was under suspension, he wrote against the socinians, in which he took a new method of explaining the Trinity : he thought there were three eternal minds ; two of these issuing from the Father, but that these were one, by reason of a mutual consciousness in the three to every of their thoughts : this was looked on as plain tritheism ; but all the party applauded him and his book. Soon after that, an accident of an odd nature happened.

There was a book drawn up by bishop Overall, fourscore years ago, concerning government, in which its being of a divine institution was very positively asserted ; it was read in convocation, and passed by that body, in order to the publishing it in opposition to the principles laid down in that famous book of Parsons, the jesuit, published under the name of Dollman. King James the First did not like a convocation entering into such a theory of politics ; so he wrote a long letter to Abbot, who was afterwards archbishop of Canterbury, but was then in the lower house. I had the original, written all in his own hand, in my possession ; by it he desired that no further progress should be made in that matter, and that this book might not be offered to him for his assent. Thus that matter slept, but Sancroft had got Overall's own book into his hands ; so in the beginning of this reign, he resolved to publish it as an authentic declaration that the church of England had made in this matter ; and it was published as well as licensed by him a very few days before he came under suspension for not taking the oaths ; but there was a paragraph or two in it that they had not considered, which was plainly calculated to justify the owning the United Provinces to be a lawful government ; for it was there laid down that when a change of government was brought to a thorough settlement, it was then to be owned and submitted to as a work of the providence of God, and a part of king James's letter to Abbot related to this. When Sherlock observed this, he had some conferences with the party in order to convince them by that, which he said had convinced himself. Soon after that he took the oaths, and was made dean of St. Paul's. He published an account of the grounds he went on, which drew out many virulent books against him. After that they pursued him with the clamour of tritheism, which was done with much malice by the very same persons who had highly magnified the performance while he was of their party ; so powerful is the bias of interest and passion in the most speculative and the most important doctrines.



Dr. South, a learned, but an ill-natured divine, who had taken the oaths, but with the reserve of an equivocal sense which he put on them, attacked Dr. Sherlock's book of the Trinity, not without wit and learning, but without any measure of Christian charity, and without any regard either to the dignity of the subject or the decencies of his profession. He explained the Trinity in the common method, that the Deity was one essence in three subsistencies\*. Sherlock replied, and charged this as Sabellianism; and some others went into the dispute with some learning, but with more heat; one preached Sherlock's notion before the university of Oxford, for which he was censured; but Sherlock wrote against that censure with the highest strains of contempt. The socinians triumphed not a little upon this, and in several of their books they divided their adversaries into real and nominal trinitarians. Sherlock was put in the first class; as for the second class, they pretended it had been the doctrine of the western church ever since the time that the fourth council in the Lateran sat. Some, who took advantage from these debates to publish their impieties without fear or shame, rejoiced to see the divines engaged in such subtle questions; and they reckoned that which side soever might have the better in the turn of this controversy, yet in conclusion they alone must be the gainers by every dispute that brought such important matters to a doubtfulness, which might end in infidelity at last.

The ill effects that were like to follow on those different explanations, made the bishops move the king to set out injunctions, requiring them to see to the repressing of error and heresy with all possible zeal, more particularly in the fundamental articles of the Christian faith; and to watch against and hinder the use of new terms, or new explanations, in those matters. This put a stop to those debates, as Mr. Firmin's death put a stop to the printing and spreading of socinian books. Upon all this, some angry clergymen, who had not that share of preferment that they thought they deserved, begun to complain that no convocation was suffered to sit to whom the judging in such points seemed most properly to belong. Books were written on this head; it was said, that the law made in king Henry the Eighth's time, that limited the power of that body, so that no new canons could be attempted, or put in use without the king's licence and consent, did not disable them from sitting; on the contrary, a convocation was held to be a part of the parliament, so that it ought always to attend upon it, and to be ready, when advised with, to give their opinions chiefly in matters of religion. They had also, as these men pretended, a right to prepare articles and canons, and to lay them before the king, who might indeed deny his assent to them, as he did to bills that were offered him by both houses of parliament. This led them to strike at the king's supremacy, and to assert the intrinsic power of the church, which had been disowned by this church ever since the time of the reformation; and indeed the king's supremacy was thought to be carried formerly too high, and that by the same sort of men who were now studying to lay it as low. It seemed that some men were for maintaining it as long as it was in their management, and that it made for them; but resolved to weaken it all they could, as soon as it went out of their hands, and was no more at their discretion: such a turn do men's interests and partialities give to their opinions.

All this while it was manifest that there were two different parties among the clergy; one was firm and faithful to the present government, and served it with zeal: these did not envy the dissenters the ease that the toleration gave them; they wished for a favourable opportunity of making such alterations in some few rites and ceremonies as might bring into the church those who were not at too great a distance from it: and I do freely own that I was

\* This amiable charitable man, and brilliant wit, deserves more than the above solitary notice. Dr. Robert South was born in 1633, became a scholar of Westminster and Christchurch, Oxford, seemed to make it a rule to join the triumphant party, and consequently adhered successively to Cromwell, Charles, James, and William. This pliancy did not arise from avarice; his highest preferment was a canonry, Christchurch, and a prebend stall at Westminster; and the revenues of these, as well as part of his paternal patrimony, he dispersed annually in charities. He valued an old hat and walking stick so highly, having used them many years, that no persuasions could

induce him to exchange them even for the crozier and archiepiscopal mitre. He bore a long and excruciating malady with cheerfulness, and died in 1716. One specimen of his reproofing wit must be repeated.—Preaching before Charles the Second, and his equally indecorous courtiers, he perceived that the tenants of the royal pew were sleeping. He stopped, and calling thence to Lord Lauderdale, who awoke, and stood up, said to him, "My Lord, I am sorry to interrupt your repose, but I must beg that you will not snore quite so loud, lest you should awaken his majesty." (Biog. Britannica. Wood's *Athenæ Oxon.* Noble's *Contin. of Granger.*)

of this number. Others took the oaths indeed, and concurred in every act of compliance with the government, but they were not only cold in serving it, but were always blaming the administration, and aggravating misfortunes: they expressed a great esteem for jacobites, and in all elections gave their votes for those who leaned that way; at the same time they shewed great resentments against the dissenters, and were enemies to the toleration, and seemed resolved never to consent to any alteration in their favour. The bulk of the clergy ran this way, so that the moderate party was far out-numbered. Profane minds had too great advantages from this, in reflecting severely on a body of men that took oaths, and performed public devotions, when the rest of their lives was too public and too visible a contradiction to such oaths and prayers.

But while we are thus unhappily disjointed in matters of religion, our neighbours are not so entirely united as they pretend to be. The quietists are said to increase not only in Italy, but in France: the persecution there began at first upon a few jansenists, but it turned soon to the protestants, on whom it has been long very heavy and bloody: this had put an end to all disputes in those matters; a new controversy has since been managed with great heat, between Bossuet, the famous bishop, first of Condom and now of Meaux, and La Motte Fenelon, who was once in high favour with Madame Maintenon, and was, by her means, made preceptor to the dauphin's children, and afterwards advanced to be archbishop of Cambray. He wrote a treatise of spiritual maxims, according to the subtilty, as well as the sublimity, of the writers called the mystics: in it he distinguished between that which was falsely charged upon them, and that which was truly their doctrine; he put the perfection of a spiritual life in the loving of God purely for himself, without any regard to ourselves, even to our own salvation; and in our being brought to such a state of indifference, as to have no will, nor desire of our own, but to be so perfectly united to the will of God as to rejoice in the hope of Heaven, only because it is the will of God to bring us thither, without any regard to our own happiness. Bossuet wrote so sharply against him, that one is tempted to think a rivalry for favour and preferment had as great a share in it as zeal for the truth. The matter was sent to Rome; Fenelon had so many authorized and canonized writers of his side, that many distinctions must be made use of to separate them from him; but the king was much set against him; he put him from his attendance on the young princess, and sent him to his diocese: his disgrace served to raise his character. Madame Maintenon's violent aversion to a man she so lately raised, was imputed to his not being so tractable as she expected, in persuading the king to own his marriage with her; but that I leave to conjecture. There is a breach running through the Lutheran churches; it appeared at first openly at Hamburgh, where many were going into stricter methods of piety, who from thence were called pietists: there is no difference of opinion between them and the rest, who are most rigid to old forms, and are jealous of all new things, especially of a stricter course of devotion, beyond what they themselves are inclined to practise. There is likewise a spirit of zeal and devotion, and of public charities, sprung at home, beyond what was known among us in former times; of which I may have a good occasion to make mention hereafter.

But to return from this digression; the company in Scotland, this year, set out a fleet, with a colony, on design to settle in America; the secret was better kept than could have been well expected, considering the many hands in which it was lodged; it appeared at last, that the true design had been guessed, from the first motion of it: they landed at Darien, which, by the report that they sent over, was capable of being made a strong place, with a good port. It was no wonder that the Spaniards complained loudly of this; it lay so near Porto-Bello and Panama on the one side, and Carthagena on the other, that they could not think they were safe when such a neighbour came so near the centre of their empire in America: the king of France complained also of this, as an invasion of the Spanish dominions, and offered the court of Madrid a fleet to dislodge them. The Spaniards pressed the king hard upon this: they said they were once possessed of that place, and though they found it too unhealthy to settle there, yet the right to it belonged still to them; so this was a breach of treaties, and a violent possession of their country. In answer to this, the Scotch pretended, that the natives of Darien were never conquered by the Spaniards, and were by consequence a free people; they said, they had purchased of them leave to possess themselves of that

place, and that the Spaniards abandoned the country, because they could not reduce the natives; so the pretension of the first discovery was made void when they went off from it, not being able to hold it; and then the natives being left to themselves, it was lawful for the Scots to treat with them: it was given out that there was much gold in the country. Certainly the nation was so full of hopes from this project, that they raised a fund for carrying it on, greater than, as was thought, that kingdom could stretch to: four hundred thousand pounds sterling was subscribed, and a fourth part was paid down, and afterwards seventy thousand pounds more was brought in, and a national fury seemed to have transported the whole kingdom upon this project.

The jacobites went into the management with a particular heat: they saw the king would be much pressed from Spain; the English nation apprehending that this would be set up as a breach of treaties, and that upon a rupture their effects in Spain might be seized, grew also very uneasy at it; upon which it was thought that the king would in time be forced to disown this invasion, and to declare against it, and in that case they hoped to have inflamed the kingdom with this, that the king denied them his protection, while they were only acting according to law; and this, they would have said, was contrary to the coronation oath, and so they would have thought they were freed from their allegiance to him. The jacobites, having this prospect, did all that was possible to raise the hopes of the nation to the highest degree: our English plantations grew also very jealous of this new colony; they feared, that the double prospect of finding gold, and of robbing the Spaniards, would draw many planters from them into this new settlement; and that the buccaneers might run into them; for by the Scotch act, this place was to be made a free port; and if it was not ruined before it was well formed, they reckoned it would become a seat of piracy, and another Algiers, in those parts. Upon these grounds the English nation inclined to declare against this, and the king seemed convinced that it was an infraction of his treaties with Spain: so orders were sent, but very secretly, to the English plantations, particularly to Jamaica and the Leeward Islands, to forbid all commerce with the Scots at Darien. The Spaniards made some faint attempts on them, but without success: this was a very great difficulty on the king; he saw how much he was likely to be pressed on both hands, and he apprehended what ill consequences were likely to follow, on his declaring himself either way.

The parliament of England had now sat its period of three years, in which great things had been done: the whole money of England was recoined; the king was secured in his government, an honourable peace was made\*, public credit was restored, and the payment of public debts was put on sure and good funds. The chief conduct lay now in a few hands; the lord Somers was made a baron of England; and as he was one of the ablest, and the most incorrupt judges that ever sat in Chancery, so his great capacity for all affairs made the king consider him beyond all his ministers, and he well deserved the confidence that the king expressed for him on all occasions. In the house of commons, Mr. Montague had gained such a visible ascendant over all that were zealous for the king's service, that he gave the law to the rest, which he did always with great spirit, but sometimes with too assuming an air. The fleet was in the earl of Orford's management, who was both treasurer of the navy, and was at the head of the admiralty; he had brought in many into the service, who were very zealous for the government, but a spirit of impiety and dissolution ran through too many of them, so that those who intended to cast a load upon the government had too great advantages given by some of these. The administration at home was otherwise without exception, and no grievances were complained of.

There was a new parliament called, and the elections fell generally on men who were in the interests of the government; many of them had indeed some popular notions, which they had drank in under a bad government, and thought they ought to keep them under a good one: so that those who wished well to the public did apprehend great difficulties in managing them. The king himself did not seem to lay this to heart so much as was fitting; he stayed long beyond sea; he had made a visit to the duke of Zell, where he was treated in a most magnificent manner. Cross winds hindered his coming to England so soon as he had intended; upon which the parliament was prorogued for some weeks after the

\* The far greater part of Englishmen held an opposite opinion.



members were come up; even this soured their spirits, and had too great a share in the ill humour that appeared among them.

The king's keeping up an army beyond the votes of the former parliament, was much resented, nor was the occasion for doing it enough considered; all this was increased by his own management after he came over. The ministers represented to him, that they could carry the keeping up a land force of ten or twelve thousand, but that they could not carry it further: he said so small a number was as good as none at all, therefore he would not authorize them to propose it; on the other hand, they thought they should lose their credit with their best friends, if they ventured to speak of a greater number. So, when the house of commons took up the debate, the ministry were silent, and proposed no number; upon which those who were in the contrary interest, named seven thousand men, and to this they added, that they should be all the king's natural-born subjects. Both the parts of this vote gave the king great uneasiness; he seemed not only to lay it much to heart, but to sink under it: he tried all that was possible to struggle against it, when it was too late; it not being so easy to recover things in an after-game, as it was to have prevented this misunderstanding, that was likely to arise between him and his parliament. It was surmised that he was resolved not to pass the bill, but that he would abandon the government, rather than hold it with a force that was too small to preserve and protect it; yet this was considered only as a threatening, so that little regard was had to it; the act passed with some opposition in the house of commons; a feeble attempt was made in the house of lords against it, but it was rather a reproach than a service to the government, it being faintly made and ill supported. The royal assent was given, and when it was hoped that the passing the act had softened people's minds, a new attempt was made for keeping the Dutch guards in England, but that was rejected, though the king sent a message desiring it\*.

\* It is easy to conceive how distressing this measure must have been to the king. His guards, as he observed with deep feeling, "had constantly attended him in all actions wherein he had been engaged."—(Chandler's Debates, House of Commons, iii. 93.) They were his companions—his children—for all history concurs in informing us that a general acquires a kind of parental regard for those soldiers that have long been under his care and command. The feeling is mutual—our soldiers during the last war in Spain used to call lord Hill "our father." When William first heard that the vote had passed which was to separate him from his Dutch guards, he paced his apartment for some time with downcast eyes, and suddenly pausing, said with more than usual passion, "If I had a son, these guards should not quit me." He made several efforts to avoid this painful separation. On the 18th of March, 1698 the journals of the house of commons inform us that the "earl of Ranelagh acquainted it, that he had, in command from his majesty, a message to deliver to this house, signed by his majesty, and all of his own hand-writing; which the said earl delivered in to Mr. Speaker, who read the same to the house, and is as followeth: viz.—

"William Rex.

"His majesty is pleased to let the house know, that the necessary preparations are made for transporting the guards, who came with him into England; and that he intends to send them away immediately, unless, out of consideration to him, the house be disposed to find a way for continuing them longer in his service, which his majesty would take very kindly.

"Upon which a question being proposed, that a day be appointed to consider of his majesty's said message, the question was put, that that question be now put, and it passed in the negative.

"20th of March, 1698.

"The lord Norris reported from the committee appointed on Saturday last, to draw up an humble address, to be

presented to his majesty; that they had drawn up an address accordingly, which he read in his place, and afterwards delivered in at the clerk's table, where the same was read, and is as followeth:—

"Most Gracious Sovereign,

"We, your majesty's most dutiful and loyal subjects, the commons in this present parliament assembled, do, with unfeigned zeal to your majesty's person and government (which God long preserve), most humbly represent,

"That the passing the late act for disbanding the army gave great satisfaction to your subjects; and the punctual execution thereof will prevent all occasions of distrust or jealousy between your majesty and your people.

"It is, Sir, to your loyal commons, an unspeakable grief, that anything should be asked by your majesty's message, to which they cannot consent, *without doing violence to that constitution your majesty came over to restore and preserve*, and did at that time, in your gracious declaration promise, that all those foreign forces which came over with you, should be sent back. In duty therefore to your majesty, and to discharge the trust reposed in us, we crave leave to lay before you, that nothing conduceth more to the happiness and welfare of this kingdom, than an entire confidence between your majesty and your people; which can no way be so firmly established as by entrusting your sacred person with your own subjects, who have so eminently signalized themselves on all occasions during the late long and expensive war."

However we may sympathize with William upon this trying occasion, at the same time we must feel that our legislators were right in their determination—even his ministers were silent, or opposed the motion without energy. They rightly felt that the guards of England should be Englishmen; not only for the sake of the national honour, but because otherwise it would be a precedent for the permanent employment of foreign troops, the most effectual mode of enslaving and enervating a nation. Rome declined from the moment she employed mercenary legions.

In the carrying these points, many hard things were said against the court, and against the king himself; it was suggested that he loved not the nation; that he was on the reserve with all Englishmen, and shewed no confidence in them; but that as soon as the session of parliament was over, he went immediately to Holland; and they said, this was not to look after the affairs of the States, which had been more excusable; but that he went thither to enjoy a lazy privacy at Loo; where, with a few favourites, he hunted and passed away the summer, in a way that did not raise his character much. It is certain the usage he had met with of late put his spirits too much on the fret; and he neither took care to disguise that, nor to overcome the ill humour, which the manner of his deportment, rather than any just occasion given by him, had raised in many against him. Some, in the house of commons, began to carry things much further, and to say, that they were not bound to maintain the votes, and to keep up the credit of the former parliament; and they tried to shake the act made in favour of the new East-India company: this was so contrary to the fundamental maxims of our constitution, that it gave cause of jealousy, since this could be intended for nothing, but to ruin the government: money raised by parliament upon bargains and conditions that were performed by those who advanced it, gave them such a purchase of those acts, and this was so sacred, that to overturn it must destroy all credit for the future, and no government could be maintained that did not preserve this religiously.

Among other complaints, one made against the court was, that the king had given grants of the confiscated estates in Ireland; it was told before, that a bill being sent up by the commons, attainting the Irish that had been in arms, and applying their estates to the paying the public debts, leaving only a power to the king to dispose of the third part of them, was likely to lie long before the lords, many petitions being offered against it; upon which the king, to bring the session to a speedy conclusion, had promised, that this matter should be kept entire till their next meeting: but the next session going over without any proceeding in it, the king granted away all those confiscations; it being an undoubted branch of the royal prerogative, that all confiscations accrued to the crown, and might be granted away at the pleasure of the king; it was pretended that those estates came to a million and a half in value. Great objections were made to the merits of some, who had the largest share in those grants; attempts had been made, in the parliament of Ireland, to obtain a confirmation of them, but that which Ginkle, who was created earl of Athlone, had, was only confirmed: now it was become a popular subject of declamation, to arraign both the grants, and those who had them; motions had been often made for a general resumption of all the grants made in this reign; but in answer to this, it was said, that since no such motion was made for a resumption of the grants made in king Charles the Second's reign, notwithstanding the extravagant profusion of them, and the ill grounds upon which they were made, it shewed both a disrespect and a black ingratitude, if, while no other grants were resumed, this king only should be called in question. The court party said often, let the retrospect go back to the year 1660, and they would consent to it, and that which might be got by it would be worth the while. It was answered, this could not be done after so long a time, that so many sales, mortgages, and settlements had been made, pursuant to those grants; so all these attempts came to nothing. But now they fell on a more effectual method. A commission was given, by act of parliament, to seven persons named by the house of commons, to enquire into the value of the confiscated estates in Ireland so granted away, and into the considerations upon which those grants were made. This passed in this session, and in the debates, a great alienation discovered itself in many from the king and his government, which had a very ill effect upon all affairs, both at home and abroad. When the time prefixed for the disbanding the army came, it was reduced to seven thousand men; of these, four thousand were horse and dragoons, the foot were three thousand; the bodies were also reduced to so small a number of soldiers, that it was said we had now an army of officers: the new method was much approved of by proper judges, as the best into which so small a number could have been brought. There was at the same time a very large provision made for the sea, greater than was thought necessary in a time of peace. Fifteen thousand seamen, with a fleet proportioned to that number, was thought a necessary security, since we were made so weak by land.

I mentioned in the relation of the former year, the czar's coming out of his own country, on which I will now enlarge: he came this winter over to England, and stayed some months among us; I waited often on him, and was ordered, both by the king, and the archbishop and bishops, to attend upon him, and to offer him such informations of our religion and constitution, as he was willing to receive: I had good interpreters, so I had much free discourse with him. He is a man of a very hot temper, soon inflamed, and very brutal in his passion; he raises his natural heat by drinking much brandy, which he rectifies himself with great application: he is subject to convulsive motions all over his body, and his head seems to be affected with these; he wants not capacity, and has a larger measure of knowledge than might be expected from his education, which was very indifferent: a want of judgment, with an instability of temper, appear in him too often, and too evidently; he is mechanically turned, and seems designed by nature rather to be a ship carpenter than a great prince; this was his chief study and exercise while he stayed here; he wrought much with his own hands, and made all about him work at the models of ships: he told me he designed a great fleet at Azoff, and with it to attack the Turkish empire; but he did not seem capable of conducting so great a design, though his conduct in his wars since this, has discovered a greater genius in him than appeared at that time. He was desirous to understand our doctrine, but he did not seem disposed to mend matters in Muscovy: he was indeed resolved to encourage learning, and to polish his people, by sending some of them to travel in other countries, and to draw strangers to come and live among them. He seemed apprehensive still of his sister's intrigues. There was a mixture both of passion and severity in his temper. He is resolute, but understands little of war, and seemed not at all inquisitive that way. After I had seen him often, and had conversed much with him, I could not but adore the depth of the Providence of God that had raised up such a furious man to so absolute an authority over so great a part of the world.

David, considering the great things God had made for the use of man, broke out into the meditation, "What is man, that thou art so mindful of him?" But here there is an occasion for reversing these words, since man seems a very contemptible thing in the sight of God, while such a person as the czar has such multitudes put as it were under his feet, exposed to his restless jealousy and savage temper. He went from hence to the court of Vienna, where he purposed to have stayed some time, but he was called home sooner than he had intended, upon a discovery or a suspicion of intrigues managed by his sister: the strangers to whom he trusted most were so true to him, that those designs were crushed before he came back; but on this occasion he let loose his fury on all whom he suspected; some hundreds of them were hanged all round Moscow, and it was said, that he cut off many heads with his own hand, and so far was he from relenting, or shewing any sort of tenderness, that he seemed delighted with it. How long he is to be the scourge of that nation, or of his neighbours, God only knows; so extraordinary an incident will, I hope, justify such a digression.

The king of Poland was not much better thought of by the Poles, though somewhat deeper in his designs; he had given that republic great cause of suspecting that he intended to turn that free and elective state into an hereditary and absolute dominion. Under the pretence of a civil war, like to arise at home, on the prince of Conti's account, and of the war with the Turks, he had brought in an army of Saxons, of whom the Poles were now become so jealous, that if he does not send them home again, probably that kingdom will fall into new wars.

The young king of Sweden seemed to inherit the roughness of his father's temper with the piety and the virtues of his mother; his coronation was performed in a particular manner, he took up the crown himself, and set it on his head; the design of this innovation in the ceremonial seems to be, that he will not have his subjects think that he holds his crown in any respect by their grant or consent, but that it was his own by descent; therefore no other person was to set it on his head; whereas, even absolute princes are willing to leave this poor remnant and shadow of a popular election among the ceremonies of their coronation; since they are crowned upon the desires and shoutings of their people. Thus the two northern crowns, Denmark and Sweden, that were long under great restraints by their con-



stitution, have in our own time, emancipated themselves so entirely, that in their government they have little regard, either to the rules of law or the decencies of custom. A little time will shew, whether Poland can be brought to submit to the same absoluteness of government; they who set their crown to sale, in so bare-faced a manner, may be supposed ready likewise to sell their liberties, if they can find a merchant that will come up to their price.

The frequent relapses, and the feeble state of the king of Spain's health, gave the world great alarms. The court of Vienna trusted to their interest in the court of Spain, and in that king himself; the French court was resolved not to let go their pretensions to that succession without great advantages; the king and the States were not now strong enough to be the umpires in that matter; this made them more easily hearken to propositions that were set on foot by the court of France; the electoral prince of Bavaria was proposed, he being the only issue of the king of Spain's second sister, who was married to the emperor. Into this, the king, the States, and the elector of Bavaria entered: the court of Spain agreed to this; and that king, by his will, confirmed his father's will, by which the succession of the crown was settled on the issue of the second daughter, and it was resolved to engage all the grandees and cities of Spain to maintain the succession, according to this settlement. The house of Austria complained of this, and pretended that, by a long tract of reciprocal settlements, several mutual entails had passed between those two branches of the house of Austria; the court of France seemed also to complain of it, but they were secretly in it, upon engagements, that the dominions in Italy should fall to their share; but while these engagements, in favour of the prince electoral, were raising great apprehensions every where, that young prince, who seemed marked out for great things, and who had all the promising beginnings that could be expected in a child of seven years old, fell sick, and was carried off the third or fourth day of his illness; so uncertain are all the prospects, and all the hopes, that this world can give. Now the dauphin and the emperor were to dispute, or to divide this succession between them; so a new treaty was set on foot: it was generally given out, and too easily believed, that the king of France was grown weary of war, and was resolved to pass the rest of his days in peace and quiet; but that he could not consent to the exaltation of the house of Austria; yet if that house were set aside, he would yield up the dauphin's pretensions; and so the duke of Savoy was much talked of, but it was with the prospect of having his hereditary dominions yielded up to the crown of France; but this great matter came to another digestion a few months after.

About this time, the king set up a new favourite; Keppel, a gentleman of Guelder, was raised from being a page into the highest degree of favour that any person had ever attained about the king; he was now made earl of Albemarle, and soon after knight of the garter; and by a quick, and unaccountable progress, he seemed to have engrossed the royal favour so entirely, that he disposed of every thing that was in the king's power. He was a cheerful young man, that had the heart to please, but was so much given up to his own pleasures, that he could scarcely submit to the attendance and drudgery that was necessary to maintain his post. He never had yet distinguished himself in any thing, though the king did it in every thing. He was not cold, nor dry, as the earl of Portland was thought to be; who seemed to have the art of creating many enemies to himself, and not one friend: but the earl of Albemarle had all the arts of a court, was civil to all, and procured many favours\*. The earl of Portland observed the progress of this favour with great uneasiness; they grew to be not only incompatible, as all rivals for favour must needs be, but to hate and oppose

\* Arnold Joost Van Keppel came over with William as a page, and had never been employed in offices more important than copying letters, until the royal mistress, Mrs. Villiers, and the earl of Sunderland, employed and sustained him to supplant the other favourite, the earl of Portland. The design proved successful, and however we may lament that ministers of state are ever created through motives and intrigues so unworthy, yet in this instance it is consolatory to know that the instrument was virtuous and talented. He was, in 1696, created baron Ashford, viscount Bury, in England, and earl of Albemarle, in Normandy. This latter title had been

borne by princes of the Plantagenet line, and by the restorer of the Stuarts, as a dukedom, so that one more honourable could not have been selected. To this the garter was appended, and the offices of master of the robes, and a lordship of the bedchamber. He was equally trusted and variously employed by Anne and George the First. He died, aged 43, in 1718. He was handsome, gay, lively, courteous, liberal; these were popular endowments, and made him idolized even by the English. He was faithful, brave, and honourable, which makes him deserving the commendation of mankind.—Noble's Contin. of Granger.

one another in every thing, by which the king's affairs suffered much ; the one had more of the confidence, and the other much more of the favour ; the king had heaped many grants on the earl of Portland, and had sent him ambassador to France, upon the peace, where he appeared with great magnificence, and at a vast expense, and had many very unusual respects put upon him by that king, and all that court ; but upon his return, he could not bear the visible superiority in favour, that the other was grown up to ; so he took occasion, from a small preference that was given him, in prejudice of his own post, as groom of the stole, and upon it withdrew from the court, and laid down all his employments. The king used all possible means to divert him from this resolution, but without prevailing on him ; he consented to serve the king still in his affairs, but he would not return to any post in the household ; and not long after that he was employed in the new negotiation, set on foot for the succession to the crown of Spain.

This year died the marquis of Winchester, whom the king had created duke of Bolton ; he was a man of a strange mixture ; he had the spleen to a high degree, and affected an extravagant behaviour : for many weeks he would take a conceit not to speak one word ; and at other times he would not open his mouth till such an hour of the day, when he thought the air was pure ; he changed the day into night, and often hunted by torchlight, and took all sorts of liberties to himself, many of which were very disagreeable to those about him. In the end of king Charles's time, and during king James's reign, he affected an appearance of folly, which afterwards he compared to Junius Brutus's behaviour under the Tarquins. With all this he was a very knowing, and a very crafty politic man ; and was an artful flatterer, when that was necessary to compass his end, in which generally he was successful : he was a man of a profuse expense, and of a most ravenous avarice to support that ; and though he was much hated, yet he carried matters before him with such authority and success, that he was in all respects the great riddle of the age.

This summer, sir Josiah Child died ; he was a man of great notions as to merchandize, which was his education, and in which he succeeded beyond any man of his time ; he applied himself chiefly to the East-India trade, which by his management was raised so high, that it drew much envy and jealousy both upon himself and upon the company ; he had a compass of knowledge and apprehension beyond any merchant I ever knew ; he was vain and covetous, and thought too cunning, though to me he seemed always sincere \*.

The complaints that the court of France sent to Rome, against the archbishop of Cambray's book, procured a censure from thence ; but he gave such a ready and entire submission to it, that how much soever that may have lessened him, in some men's opinions, yet it quite defeated the designs of his enemies against him : upon this occasion, it appeared how much both the clergy of France, and the courts of parliament there, were sunk from that firmness which they had so long maintained against the encroachment of the court of Rome ; not so much as one person of those bodies has set himself to assert those liberties, upon which they had so long valued themselves ; the whole clergy submitted to the bull, the king himself received it, and the parliament registered it ; we do not yet know by what methods and practices this was obtained at the court of Rome, nor what are the distinctions, by which they save the doctrine of so many of their saints, while they condemn this archbishop's book ; for it is not easy to perceive a difference between them. From the conclusion of this process at Rome, I turn to another, against a bishop of our own church, that was brought to a sentence and conclusion this summer.

Dr. Watson † was promoted by king James to the bishopric of St. David's ; it was believed that he gave money for his advancement, and that in order to the reimbursing himself, he sold most of the spiritual preferments in his gift. By the law and custom of this church the archbishop is the only judge of a bishop, but upon such occasions he calls for the

\* Sir Josiah Child was the second son of sir Richard Child, a London merchant. His deep acquaintance with the principles of commerce is shown by his work, entitled "A new discourse upon trade," to which is appended a small essay on usury. It has passed through several editions. He was created a baronet in 1678. He was sixty-two when he died. His monument, with a long inscrip-

tion, is in the church of Wanstead, Essex.—Morant's Hist. of Essex ; Grainger's Biog. History.

† This was Dr. Thomas Watson, of St. John's college, Cambridge. He had been preferred at the recommendation of lord Dover, in 1687.—Wood's Athenæ Oxon.

assistance of some of the bishops ; he called for six in this cause ; I was one of them. It was proved that the bishop had collated a nephew of his to a great many of the best preferments in his gift, and that for many years he had taken the whole profits of these to himself, keeping his nephew very poor, and obliging him to perform no part of his duty : it was also proved that the bishop obtained leave to keep a benefice, which he held before his promotion by a commendam, (one of the abuses which the popes brought in among us, from which we have not been able hitherto to free our church ;) that he had sold both the cure and the profits to a clergyman, for a sum of money, and had obliged himself to resign it upon demand, that is, as soon as the clergyman could, by another sum, purchase the next presentation of the patron : these things were fully proved. To these was added a charge of many oppressive fees, which being taken for benefices that were in his gift, were not only extortion but a presumptive simony. All these he had taken himself, without making use of a register or actuary ; for as he would not trust these secrets to any other, so he swallowed up the fees both of his chancellor and register ; he had also ordained many persons without tendering them the oaths enjoined by law, and yet in their letters of orders, he had certified under his hand and seal that they had taken those oaths ; this was what the law calls *crimen falsi*, the certifying that which he knew to be false : no exceptions lay to the witnesses by whom these things were made out, nor did the bishop bring any proofs on his side to contradict their evidence. Some affirmed that he was a sober and regular man, and that he spoke often of simony with such detestation, that they could not think him capable of committing it. The bishop of Rochester withdrew from the court on the day in which sentence was to be given ; he consented to a suspension, but he did not think that a bishop could be deprived by the archbishop. When the court sat to give judgment, the bishop resumed his privilege of peerage, and pleaded it ; but he having waived it in the house of lords, and having gone on still submitting to the court, no regard was had to this, since a plea to the jurisdiction of the court was to be offered in the first instance, but could not be kept up to the last and then be made use of. The bishops that were present agreed to a sentence of deprivation : I went further, and thought that he ought to be excommunicated. He was one of the worst men, in all respects, that I ever knew in holy orders ; passionate, covetous, and false in the blackest instances ; without any one virtue or good quality to balance his many bad ones. But as he was advanced by king James, so he stuck firm to that interest ; and the party, though ashamed of him, yet were resolved to support him with great zeal. He appealed to a court of delegates, and they, about the end of the year, confirmed the archbishop's sentence. Another prosecution followed for simony, against Jones, bishop of St. Asaph, in which, though the presumptions were very great, yet the evidence was not so clear as in the former case. The bishops in Wales give almost all the benefices in their diocese ; so this primitive constitution that is still preserved among them, was scandalously abused by some wicked men, who set holy things to sale, and thereby increased the prejudices that are but too easily received both against religion and the church.

I published this year an Exposition of the Thirty-nine Articles of Religion. It seemed a work much wanted, and it was justly to be wondered at, that none of our divines had attempted any such performance in a way suitable to the dignity of the subject ; for some slight analyses of them are not worth either mentioning or reading. It was a work that required study and labour, and laid a man open to many malicious attacks ; this made some of my friends advise me against publishing it : in compliance with them I kept it five years by me after I had finished it ; but I was now prevailed on by the archbishop and many of my own order, besides a great many others, to delay the publishing it no longer. It seemed a proper addition to the History of the Reformation, to explain and prove the doctrine which was then established. I was moved first by the late queen, and pressed by the late archbishop to write it. I can appeal to the Searcher of all hearts that I wrote it with great sincerity and a good intention, and with all the application and care I was capable of. I did then expect what I have since met with, that malicious men would employ both their industry and ill nature to find matter for censure and cavils ; but though there have been some books written on purpose against it, and many in sermons and other treatises have occasionally reflected with great severity upon several passages in it, yet this has been done with so little justice or reason, that I am



not yet convinced that there is one single period or expression that is justly remarked on, or that can give me any occasion either to retract or so much as to explain any one part of that whole work, which I was very ready to have done if I had seen cause for it. There was another reason that seemed to determine me to the publishing it at this time\*.

Upon the peace of Ryswick a great swarm of priests came over to England, not only those whom the revolution had frightened away, but many more new men, who appeared in many places with great insolence; and it was said that they boasted of the favour and protection of which they were assured. Some enemies of the government began to give it out, that the favouring that religion was a secret article of the peace; and so absurd is malice and calumny, that the jacobites began to say, that the king was either of that religion, or at least a favourer of it. Complaints of the avowed practices and insolence of the priests were brought from several places during the last session of parliament, and those were maliciously aggravated by some, who cast the blame of all on the king.

Upon this, some proposed a bill, that obliged all persons educated in that religion, or suspected to be of it, who should succeed to any estate before they were of the age of eighteen, to take the oaths of allegiance and supremacy, and the test as soon as they came to that age; and till they did it, the estate was to devolve to the next of kin, that was a protestant, but was to return back to them, upon their taking the oaths. All popish priests were also banished by the bill, and were adjudged to perpetual imprisonment if they should again return to England; and the reward of an hundred pounds was offered to every one who should discover a popish priest so as to convict him. Those who brought this into the house of commons, hoped the court would have opposed it, but the court promoted the bill; so when the party saw their mistake, they seemed willing to let the bill fall; and when that could not be done, they clogged it with many severe and some unreasonable clauses, hoping that the lords would not pass the act; and it was said that if the lords should make the least alteration in it, they in the house of commons, who had set it on, were resolved to let it lie on their table when it should be sent back to them. Many lords who secretly favoured papists on the jacobite account, did for this very reason move for several alterations, some of these importing a greater severity; but the zeal against popery was such in that house, that the bill passed without any amendment, and it had the royal assent. I was for this bill, notwithstanding my principles for toleration and against all persecution for conscience sake: I had always thought, that if a government found any sect in religion incompatible with its quiet and safety, it might, and sometimes ought to send away all of that sect with as little hardship as possible. It is certain that as all papists must at all times be ill subjects to a protestant prince, so this is much more to be apprehended when there is a pretended popish heir in the case. This act hurt no man that was in the present possession of an estate, it only incapacitated his next heir to succeed to that estate if he continued a papist; so the danger of this, in case the act should be well looked to, would put those of that religion who are men of conscience on the selling of their estates, and in the course of a few years might deliver us from having any papists left among us. But this act wanted several necessary clauses to enforce the due execution of it: the word "next of kin," was very indefinite, and the "next of kin," was not obliged to claim the benefit of this act, nor did the right descend to the remoter heirs if the more immediate ones should not take the benefit of it; the test relating to matters of doctrine and worship, did not seem a proper ground for so great a severity, so this act was not followed nor executed in any sort; but here is a scheme laid, though not fully digested, which on some great provocation given by those of that religion, may dispose a parliament to put such clauses in a new act as may make this effectual.

The king of Denmark was in a visible decline all this year, and died about the end of summer. While he was languishing, the duke of Holstein began to build some new forts in that duchy; this the Danes said was contrary to the treaties, and to the *condominium* which that king and the duke have in that duchy. The duke of Holstein had married the king of Sweden's sister, and depended on the assurances he had of being supported by that crown. The young king of Denmark, upon his coming to the crown, as he complained of these infractions,

\* This work has not been considered quite orthodox in its doctrines. Dr. South said that Burnet had served the Church of England as the Jews served St. Paul; giving it forty stripes, save one.

so he entered into an alliance with the king of Poland and the elector of Brandenburg, and, as was said, with the landgrave of Hesse and the duke of Wolfenbüttel, to attack Sweden and Holstein at once on all hands. The king of Poland was to invade Livonia; the elector of Brandenburg was to fall into the regal Pomerania, and the other princes were to keep the dukes of Zell and Hanover from assisting Holstein: the king of Denmark himself was to attack Holstein, but his father's chief minister and treasurer, the baron Plesse, did not like the concert, and apprehended it would not end well; so he withdrew from his post which he had maintained long with a high reputation, both for his capacity and integrity; which appeared in this, that though that king's power is now carried to be absolute, yet he never stretched it to new or oppressive taxes; and therefore seeing things were like to take another ply in a new reign, he resigned his employment. He was the ablest and the worthiest man that I ever knew belonging to those parts; he was much trusted and employed by prince George, so that I had great opportunities to know him.

The king of Sweden, seeing such a storm coming upon him from so many hands, claimed the effects of his alliance with England and Holland, who were guarantees of the several treaties made in the North, particularly of the last made at Altena but ten years before. The house of Lunenburg was also engaged in interest to preserve Holstein as a barrier between them and Denmark. The king of Poland thought the invasion of Livonia, which was to be begun with the siege of Riga, would prove both easy and of great advantage to him. Livonia was anciently a fief of the crown of Poland, and delivered itself for protection to the crown of Sweden by a capitulation: by that they were still to enjoy their ancient liberties; afterwards the pretension of the crown of Poland was yielded up about threescore years ago, so that Livonia was an absolute but legal government: yet the king of Sweden had treated that principality in the same rough manner in which he had oppressed his other dominions; so it was thought that the Livonians were disposed (as soon as they saw a power ready to protect them, and to restore them to their former liberties) to shake off the Swedish yoke; especially if they saw the king attacked in so many different places at once.

The king of Poland had a farther design in this invasion; he had an army of Saxons in Poland, to whom he chiefly trusted in carrying on his designs there; the Poles were become so jealous, both of him and of his Saxons, that in a general diet they had come to very severe resolutions, in case the Saxons were not sent out of the kingdom by a prefixed day; that king therefore reckoned, that as the reduction of Livonia had the fair appearance of recovering the ancient inheritance of the crown, so by this means he would carry the Saxons out of Poland, as was decreed, and yet have them within call; he likewise studied to engage those of Lithuania to join with him in the attempt. His chief dependence was on the czar, who had assured him, that if he could make peace with the Turk, and keep Azoph, he would assist him powerfully against the Swedes; his design being to recover Narva, which is capable of being made a good port. By this means he hoped to get into the Baltic, where if he could once settle, he would soon become an uneasy neighbour to all the northern princes. The king of Poland went into Saxony to mortgage and sell his lands there, and to raise as much money as was possible for carrying on this war; and he brought the electorate to so low a state, that if his designs in Poland miscarry, and if he is driven back into Saxony, he who was the richest prince of the empire will become one of the poorest. But the amusements of balls and operas consumed so much, both of his time and treasure, that whereas the design was laid to surprise Riga in the middle of the winter, he did not begin his attempt upon it before the end of February, and these designs went no farther this year.

While the king was at Loo this summer, a new treaty was set on foot, concerning the succession to the crown of Spain; the king and the states of the United Provinces saw the danger to which they would be exposed if they should engage in a new war, while we were yet under the vast debts that the former had brought upon us; the king's ministers in the house of commons assured him, that it would be a very difficult thing to bring them to enter into a new war for maintaining the rights of the house of Austria. During the debates concerning the army, when some mentioned the danger of that monarchy falling into the hands of a prince of the house of Bourbon, it was set up for a maxim, that it would be of no consequence to the affairs of Europe who was king of Spain, whether a Frenchman, or a Ger-

man ; and that as soon as the successor should come within Spain, he would become a true Spaniard, and be governed by the maxims and interests of that crown ; so that there was no prospect of being able to infuse into the nation an apprehension of the consequence of that succession. The emperor had a very good claim ; but as he had little strength to support it by land, so he had none at all by sea ; and his treasure was quite exhausted by his long war with the Turks : the French drew a great force towards the frontiers of Spain, and they were resolved to march into it upon that king's death ; there was no strength ready to oppose them, yet they seemed willing to compound the matter ; but they said, the consideration must be very valuable that could make them desist from so great a pretension : and both the king and the States thought it was a good bargain, if, by yielding up some of the less important branches of that monarchy, they could save those in which they were most concerned, which were Spain itself, the West-Indies, and the Netherlands. The French seemed willing to accept of the dominions in and about Italy, with a part of the kingdom of Navarre, and to yield up the rest to the emperor's second son, the archduke Charles : the emperor entered into the treaty, for he saw he could not hope to carry the whole succession entire ; but he pressed to have the duchy of Milan added to his hereditary dominions in Germany ; the expedient that the king proposed was, that the duke of Lorraine should have the duchy of Milan, and that France should accept of Lorraine instead of it ; he was the emperor's nephew, and would be entirely in his interests. The emperor did not agree to this, but yet he pressed the king not to give over the treaty, and to try if he could make a better bargain for him ; above all things he recommended secrecy, for he well knew how much the Spaniards would be offended, if any treaty should be owned, that might bring on a dismembering of their monarchy ; for though they were taking no care to preserve it, in the whole, or in part, yet they could not bear the having any branch torn from it. The king reckoned that the emperor, with the other princes of Italy, might have so much interest in Rome, as to stop the pope's giving the investiture of the kingdom of Naples ; and which way soever that matter might end, it would oblige the pope to shew great partiality, either to the house of Austria, or the house of Bourbon ; which might occasion a breach among them, with other consequences, that might be very happy to the whole protestant interest ; any war that might follow in Italy, would be at great distance from us, and in a country that we had no reason to regard much ; besides, that the fleets of England and Holland must come, in conclusion, to be the arbiters of the matter.

These were the king's secret motives ; for I had most of them from his own mouth ; the French consented to this scheme, and if the emperor would have agreed to it, his son the archduke was immediately to go to Spain, to be considered as the heir of that crown ; by these articles, signed both by the king of France and the dauphin, they bound themselves not to accept of any will, testament, or donation, contrary to this treaty, which came to be called *the partition treaty*. I had the original in my hands, which the dauphin signed : the French and the emperor tried their strength in the court of Spain ; it is plain the emperor trusted too much to his interest in that court, and in that king himself ; and he refused to accept of the partition, merely to ingratiate himself with them ; otherwise it was not doubted but that, seeing the impossibility of mending matters, he would have yielded to the necessity of his affairs. The French did, in a most perfidious manner, study to alienate the Spaniards from their allies, by shewing them to how great a diminution of their monarchy they had consented ; so that no way possible was left for them to keep those dominions still united to their crown, but by accepting the duke of Anjou to be their king, with whom all should be again restored. The Spaniards complained in the courts of their allies, in ours in particular, of this partition, as a detestable project, which was to rob them of those dominions that belonged to their crown, and ought not to be torn from it. No mention was made of this during the session of parliament, for though the thing was generally believed, yet it not being publicly owned, no notice could be taken of bare reports, and nothing was to be done, in pursuance of this treaty, during the king of Spain's life.

In Scotland, all men were full of hopes that their new colony should bring them home mountains of gold ; the proclamations sent to Jamaica, and to the other English plantations, were much complained of as acts of hostility and a violation of the common rights of



humanity ; these had a great effect on them, though without these, that colony was too weak and too ill supplied, as well as too much divided within itself, to have subsisted long ; those who had first possessed themselves of it, were forced to abandon it : soon after they had gone from it, a second recruit of men and provisions was sent thither from Scotland ; but one of their ships unhappily took fire, in which they had the greatest stock of provisions ; and so these likewise went off ; and though the third reinforcement, that soon followed this, was both stronger and better furnished, yet they fell into such factions among themselves, that they were too weak to resist the Spaniards, who feeble as they were, yet saw the necessity of attacking them ; and they finding themselves unable to resist the force which was brought against them, capitulated ; and with that the whole design fell to the ground, partly for want of stock and skill in those who managed it, and partly by the baseness and treachery of those whom they employed.

The conduct of the king's ministers in Scotland was much censured, in the whole progress of this affair, for they had connived at it, if not encouraged it, in hopes that the design would fall of itself ; but now it was not so easy to cure the universal discontent, which the miscarriage of this design, to the impoverishing the whole kingdom, had raised, and which now began to spread, like a contagion, among all sorts of people. A petition for a present session of parliament was immediately sent about the kingdom, and was signed by many thousands : this was sent up by some of the chief of their nobility, whom the king received very coldly. Yet a session of parliament was granted them, to which the duke of Queensbury was sent down commissioner. Great pains were taken, by all sorts of practices, to be sure of a majority ; great offers were made them in order to lay the discontents, which ran then very high ; a law for a habeas corpus, with a great freedom for trade, and every thing that they could demand, was offered, to persuade them to desist from pursuing the design upon Darien. The court had tried to get the parliament of England to interpose in that matter, and to declare themselves against that undertaking. The house of lords was prevailed on to make an address to the king, representing the ill effects that they apprehended from that settlement ; but this did not signify much, for as it was carried in that house by a small majority of seven or eight, so it was laid aside by the house of commons. Some were not ill pleased to see the king's affairs run into an embroilment ; and others did apprehend, that there was a design to involve the two kingdoms in a national quarrel, that by such an artifice, a greater army might be raised, and kept up on both sides : so they let that matter fall, nor would they give any entertainment to a bill that was sent them by the lords, in order to a treaty for the union of both kingdoms. The managers in the house of commons who opposed the court, resolved to do nothing that should provoke Scotland, or that should take any part of the blame and general discontent, that soured that nation, off from the king. It was further given out, to raise the national disgust yet higher, that the opposition the king gave to the Scotch colony, flowed neither from a regard to the interests of England, nor to the treaties with Spain ; but from a care of the Dutch, who from Curaçoa drove a coasting trade among the Spanish plantations, with great advantage, which they said the Scotch colony, if once well settled, would draw wholly from them. These things were set about that nation with great industry ; the management was chiefly in the hands of jacobites : neither the king nor his ministers were treated with the decencies that are sometimes observed, even after subjects have run to arms. The keenest of their rage was plainly pointed at the king himself ; next him, the earl of Portland, who had still the direction of their affairs, had a large share of it. In the session of parliament, it was carried, by a vote, to make the affair of Darien a national concern : upon that the session was for some time discontinued. When the news of the total abandoning of Darien was brought over, it cannot be well expressed into how bad a temper this cast the body of that people ; they had now lost almost two hundred thousand pounds sterling upon this project, besides all the imaginary treasure they had promised themselves from it : so the nation was raised into a sort of fury upon it, and in the first heat of that, a remonstrance was sent about the kingdom for hands, representing to the king the necessity of a present sitting of the parliament, which was drawn in so high a strain as if they had resolved to pursue the effects of it by an armed force. It was signed by a great majority of the members of parliament ; and the ferment in men's spirits was raised

so high, that few thought it could have been long curbed, without breaking forth into great extremities.

The king stayed beyond sea till November : many expected to see a new parliament ; for the king's speech, at the end of the former session, looked like a complaint, and an appeal to the nation against them : he seemed inclined to it, but his ministers would not venture on it. The dissolving a parliament in anger has always cast such a load on those who were thought to have advised it, that few have been able to stand it ; besides, the disbanding the army had rendered the members, who promoted it, very popular to the nation : so that they would have sent up the same men, and it was thought that there was little occasion for heat in another session. But those who opposed the king, resolved to force a change of the ministry upon him ; they were seeking colours for this, and thought they had found one, with which they had made much noise : it was this.

Some pirates had got together in the Indian seas, and robbed some of the Mogul's ships, in particular one, that he was sending with presents to Mecca ; most of them were English. The East India company having represented the danger of the Mogul's taking reprisals of them for these losses, it appeared that there was a necessity of destroying those pirates, who were harbouring themselves in some creeks in Madagascar. So a man of war was to be set out to destroy them, and one Kid was pitched upon, who knew their haunts, and was thought a proper man for the service ; but there was not a fund to bear the charge of this, for the parliament had so appropriated the money given for the sea, that no part of it could be applied to this expedition. The king proposed the managing it by a private undertaking, and said he would lay down three thousand pounds himself, and recommended it to his ministers to find out the rest. In compliance with this, the lord Somers, the earls of Orford, Rumney, Bellamont, and some others, contributed the whole expense ; for the king excused himself, by reason of other accidents, and did not advance the sum that he had promised. Lord Somers understood nothing of the matter, and left it wholly to the management of others, so that he never saw Kid, only he thought it became the post he was in to concur in such a public service. A grant was made to the undertakers, of all that should be taken from those pirates by their ship. Here was a handle for complaint, for as it was against law to take a grant of the goods of any offenders before conviction, so a parity between that and this case was urged ; but without any reason : the provisions of law being very different, in the case of pirates and that of other criminals. The former cannot be attacked, but in the way of war ; and therefore, since those who undertook this must run a great risk in executing it, it was reasonable, and according to the law of war, that they should have a right to all that they found in the enemies' hands ; whereas those who seize common offenders, have such a strength by the law to assist them, and incur so little danger in doing it, that no just inference can be drawn from the one case to the other. When this Kid was thus set out, he turned pirate himself : so a heavy load was cast on the ministry, chiefly on him who was at the head of the justice of the nation. It was said he ought not to have engaged in such a project ; and it was maliciously insinuated, that the privateer turned pirate, in confidence of the protection of those who employed him, if he had not secret orders from them for what he did. Such black constructions are men, who are engaged in parties, apt to make of the actions of those whom they intend to disgrace, even against their own consciences ; so that an undertaking, that was not only innocent but meritorious, was traduced as a design for robbery and piracy. This was urged in the house of commons as highly criminal, for which all who were concerned in it ought to be turned out of their employments ; and a question was put upon it, but it was rejected by a great majority\*. The next attempt was to turn me out from the trust of educating the duke of Gloucester. Some objected my being a Scotchman, others remembered the book that was ordered to be burnt ; so they pressed an address to the king for removing me from that post ; but this was likewise lost by the same majority that had carried the former vote. The pay for the small army, and the expense of the fleet, were settled, and a fund was given for it : yet those who had reduced the army, thought it needless to have so great a force at sea ; they provided

\* 189 to 133 Shrewsbury Correspondence. Captain William Kidd's fate is mentioned in a future part of this work.

only for eight thousand men. This was moved by the tories, and the whigs readily gave way to this reduction, because the fleet was now in another management; Russel (now earl of Orford), with his friends, being laid aside, and a set of tories being brought into their places.

The great business of this session was the report brought from Ireland by four of the seven commissioners, that were sent by parliament to examine into the confiscations and the grants made of them. Three of the seven refused to sign it, because they thought it false and ill grounded in many particulars, of which they sent over an account to both houses; but no regard was had to that, nor was any enquiry made into their objections to the report. These three were looked on as men gained by the court; and the rest were magnified, as men that could not be wrought on nor frightened from their duty. They had proceeded like inquisitors, and did readily believe every thing that was offered to them that tended to inflame the report; as they suppressed all that was laid before them that contradicted their design of representing the value of the grants as very high, and of showing how undeserving those were who had obtained them. There was so much truth in the main of this, that no complaints against their proceedings could be hearkened to; and indeed all the methods that were taken to disgrace the report had the quite contrary effect: they represented the confiscated estates to be such, that, out of the sale of them, a million and a half might be raised: so this specious proposition, for discharging so great a part of the public debt, took with the house. The hatred into which the favourites were fallen, among whom and their creatures the grants were chiefly distributed, made the motion go the quicker. All the opposition that was made in the whole progress of this matter, was looked on as a courting the men in favour; nor was any regard paid to the reserve of a third part, to be disposed of by the king, which had been in the bill that was sent up eight years before to the lords. When this was mentioned, it was answered, that the grantees had enjoyed those estates so many years, that the mean profits did arise to more than a third part of their value: little regard also was shown to the purchases made under those grants, and to the great improvements made by the purchasers, or tenants, which were said to have doubled the value of those estates. All that was said on that head made no impression, and was scarcely heard with patience: yet, that some justice might be done both to purchasers and creditors, a number of trustees were named, in whom all the confiscated estates were vested, and they had a very great and uncontrollable authority lodged with them, of hearing and determining all just claims relating to those estates, and of selling them to the best purchasers; and the money to be raised by this sale was appropriated to pay the arrears of the army. When all this was digested into a bill, the party apprehended that many petitions would be offered to the house, which the court would probably encourage on design at least to retard their proceedings: so, to prevent this, and that they might not lose too much time, nor clog the bill with too many clauses and provisos, they passed a vote of a very extraordinary nature; that they would receive no petitions relating to the matter of this bill. The case of the earl of Athlone's grant was very singular: the house of commons had been so sensible of his good service, in reducing Ireland, that they had made an address to the king, to give him a recompense suitable to his services: and the parliament of Ireland was so sensible of their obligations to him, that they, as was formerly told, confirmed his grant of between 2000*l.* and 3000*l.* a-year. He had sold it to those who thought they purchased under an unquestionable title, yet all that was now set aside, no regard being had to it; so that this estate was thrown into the heap. Some exceptions were made in the bill in favour of some grants, and provision was made for rewarding others, whom the king, as they thought, had not enough considered. Great opposition was made to this by some, who thought that all favours and grants ought to be given by the king, and not originally by a house of parliament; and this was managed with great heat, even by some of those who concurred in carrying on the bill: in conclusion it was, by a new term as well as a new invention, consolidated with the money bill that was to go for the pay of the fleet and army, and so it came up to the house of Lords; which by consequence they must either pass or reject. The method that the court took in that house to oppose it, was to offer some alterations that were indeed very just and reasonable; but since the house of commons would not suffer the



lords to alter money bills, this was in effect to lose it. The court, upon some previous votes, found they had a majority among the lords: so, for some days, it seemed to be designed to lose the bill, and to venture on a prorogation, or a dissolution, rather than pass it. Upon the apprehensions of this, the commons were beginning to fly out into high votes, both against the ministers and the favourites. The lord Somers was attacked a second time, but was brought off by a greater majority than had appeared for him at the beginning of the session. During the debates about the bill he was ill; and the worst construction possible was put on that: it was said he advised all the opposition that was made to it in the house of lords, but that, to keep himself out of it, he feigned that he was ill; though his great attendance in the court of chancery, the house of lords, and at the council table, had so impaired his health, that every year, about that time, he used to be brought very low, and disabled from business. The king seemed resolved to venture on all the ill consequences that might follow the losing this bill; though those would probably have been fatal. As far as we could judge, either another session of that parliament, or a new one, would have banished the favourites, and begun the bill anew, with the addition of obliging the grantees to refund all the mean profits. Many in the house of lords, that in all other things were very firm to the king, were for passing this bill, notwithstanding the king's earnestness against it, since they apprehended the ill consequences that were likely to follow if it was lost. I was one of these, and the king was much displeased with me for it. I said I would venture his displeasure rather than please him in that, which I feared would be the ruin of his government. I confess I did not at that time apprehend what injustice lay under many of the clauses in the bill, which appeared afterwards so evidently, that the very same persons who drove on the bill were convinced of them, and redressed some of them in acts that passed in subsequent sessions. If I had understood that matter aright, and in time, I had never given my vote for so unjust a bill. I only considered it as a hardship put on the king, many of his grants being thus made void; some of which had not been made on good and reasonable considerations, so that they could hardly be excused, much less justified. I thought the thing was a sort of force, to which it seemed reasonable to give way at that time, since we were not furnished with an equal strength to withstand it: but when I saw afterwards, what the consequences of this act proved to be, I did firmly resolve never to consent again to any tack to a money bill as long as I lived. The king became sullen upon all this, and upon the many incidents that are apt to fall in upon debates of this nature: he either did not apprehend in what such things might end, or he was not much concerned at it: his resentment, which was much provoked, broke out into some instances, which gave such handles to his enemies as they wished for; and they improved those advantages, which his ill conduct gave them, with much spite and industry, so as to alienate the nation from him. It was once in agitation among the party to make an address to him against going beyond sea, but even that was diverted with a malicious design. Hitherto the body of the nation retained a great measure of affection to him: this was beginning to diminish, by his going so constantly beyond sea as soon as the session of parliament was ended; though the war was now over. Upon this it grew to be publicly said, that he loved no Englishman's face, nor his company. So his enemies reckoned it was fit for their ends to let that prejudice go on and increase in the minds of the people, till they might find a proper occasion to graft some bad designs upon it. The session ended in April; men of all sides being put into a very ill humour by the proceedings in it\*.

The leaders of the tories began to insinuate to the favourites, the necessity of the king's

\* The commissioners, who had been sent to inquire concerning the grants of the Irish forfeited estates, were the earl of Drogheda, sir Richard Leving, sir Francis Brewster, Mr. Annesley, Mr. Trenchard, Mr. Hamilton, and Mr. Langford. The three first were whigs, and had refused to sign the report; the others were zealous tories. There is no doubt that a large portion of the forfeitures had been given to the king's Dutch supporters, and a large part of the ex king's estates had been bestowed upon William's mistress. This was ill-judged, and

offensive to the nation. The debates upon the bill of resumption were violent and lengthy in both houses, and it was not until the king directed his friends not to persist in their opposition, that it was passed in the house of lords. When he gave the royal assent to it, and put an end to the session, with becoming dignity he did not accompany the dismissal with the usual speech.—*Shrewsbury Correspondence*; *Smollett's Hist. of England*; *Journals of the houses*.

changing his ministry, in particular of removing the lord Somers, who, as he was now considered as the head of the whigs, so his wise counsels, and his modest way of laying them before the king had gained him a great share of his esteem and confidence; and it was reckoned that the chief strength of the party lay in his credit with the king, and in the prudent methods he took to govern the party, and to moderate that heat and those jealousies, with which the king had been so long disgusted in the first years of his reign. In the house of commons he had been particularly charged for turning many gentlemen out of the commission of the peace: this was much aggravated, and raised a very high complaint against him; but there was no just cause for it. When the design of the assassination and invasion, in the years 1695 and 1696, was discovered, a voluntary association was entered into by both houses of parliament, and that was set round the nation. In such a time of danger, it was thought that those who did not enter voluntarily into it, were so ill affected, or at least so little zealous for the king, that it was not fit they should continue justices of peace: so an order passed in council, that all those who had so refused should be turned out of the commission: he had obeyed this order, upon the representations made to him by the lords-lieutenants and the *custodes rotulorum* of the several counties, who were not all equally discreet: yet he laid those representations before the council, and had a special order for every person that was so turned out. All this was now magnified, and it was charged on him that he had advised and procured these orders; yet this could not be made so much as a colour to proceed against him, a clamour and murmuring was all that could be raised from it. But now the tories studied to get it infused into the king, that all the hard things that had been of late put on him by the parliament, were occasioned by the hatred that was borne to his ministers; and that, if he would change hands and employ others, matters might be softened and mended in another parliament: with this the earl of Jersey studied to possess the earl of Albermarle; and the uneasiness the king was in, disposed him to think, that if he should bring in a set of tories into his business, they would serve him with the same zeal, and with better success than the whigs had done; and he hoped to throw all upon the ministers that were now to be dismissed.

The first time that the lord Somers had recovered so much health as to come to court, the king told him it seemed necessary for his service that he should part with the seals, and he wished that he would make the delivering them up his own act. He excused himself in this: all his friends had pressed him not to offer them, since that seemed to show fear or guilt; so he begged the king's pardon if in this he followed their advice; but he told the king, that whensoever he should send a warrant under his hand, commanding him to deliver them up, he would immediately obey it. The order was brought by lord Jersey, and upon it the seals were sent to the king. Thus the lord Somers was discharged from this great office, which he had held seven years, with a high reputation for capacity, integrity, and diligence; he was in all respects the greatest man I had ever known in that post: his being thus removed was much censured by all but those who had procured it. Our princes used not to dismiss ministers who served them well, unless they were pressed to it by a house of commons, that refused to give money till they were laid aside. But here a minister (who was always vindicated by a great majority in the house of commons when he was charged there, and who had served both with fidelity and success, and was indeed censured for nothing so much as for his being too compliant with the king's humour and notions, or at least for being too soft or too feeble in representing his errors to him,) was removed without a shadow of complaint against him. This was done with so much haste, that those who had prevailed with the king to do it, had not yet concerted who should succeed him: they thought that all the great men of the law were aspiring to that high post, so that any one to whom it should be offered would certainly accept of it: but they soon found they were mistaken; for, what by reason of the instability of the court, what by reason of the just apprehensions men might have of succeeding so great a man, both Holt and Trevor, to whom the seals were offered, excused themselves. It was term time, so a vacancy in that post put things in some confusion. A temporary commission was granted to the three chief judges, to judge in the court of chancery; and after a few days the seals were given to sir Nathan Wright, in

whom there was nothing equal to the post, much less to him who had lately filled it\*. The king's inclinations seemed now turned to the tories, and to a new parliament: it was for some time in the dark who had the confidence, and gave directions to affairs: we who looked on were often disposed to think that there was no direction at all, but that every thing was left to take its course, and that all was given up to hazard.

The king, that he might give some content to the nation, stayed at Hampton Court till July, and then went to Holland: but, before he went, the minister of Sweden pressed him to make good his engagements with that crown. Riga was now besieged by the king of Poland: the first attempt of carrying the place by surprise miscarried; those of Riga were either overawed by the Swedish garrison that commanded there, or they apprehended that the change of masters would not change their condition, unless it were for the worse. So they made a greater stand than was expected; and in a siege of above eight months very little progress was made: the firmness of that place made the rest of Livonia continue fixed to the Swedes. The Saxons made great waste in the country, and ruined the trade of Riga. The king of Sweden, being obliged to employ his main force elsewhere, was not able to send them any considerable assistance. The elector of Brandenburg lay quiet without making any attempt: so did the prince of Hesse and Wolfembüttel. The two scenes of action were in Holstein and before Copenhagen. The king of Denmark found the taking the forts that had been raised by the duke of Holstein an easy work: they were soon carried and demolished: he besieged Toninghen next, which held him longer. Upon the Swedes' demand of the auxiliary fleets, that were stipulated both by the king and the States, orders were given for equipping them here, and likewise in Holland. The king was not willing to communicate this design to the two houses, and try if the house of commons would take upon themselves the expense of the fleet: they were in so bad a humour, that the king apprehended that some of them might endeavour to put an affront upon him, and oppose the sending a fleet into the Sound: though others advised the venturing on this, for no nation can subsist without alliances sacredly observed: and this was an ancient one, lately renewed by the king; so that an opposition in such a point, must have turned to the prejudice of those who should move it. Soon after the session, a fleet of thirty ships, English and Dutch, was sent to the Baltic, commanded by Rook. The Danes had a good fleet at sea, much superior to the Swedes, and almost equal to the fleet sent from hence; but it was their whole strength, so they would not run the hazard of losing it. They kept at sea for some time, having got between the Swedes and the fleet of their allies, and studied to hinder their conjunction. When they saw that could not be done, they retired, and secured themselves within the port of Copenhagen, which is a very strong one. The Swedes, with their allies, came before that town and bombarded it for some days, but with little damage to the place, and none to the fleet. The dukes of Luncenburg, together with the forces that the Swedes had at Bremen, passed the Elbe, and marched to the assistance of the duke of Holstein. This obliged the Danes to raise the siege of Toninghen, and the two armies lay in view of one another for some weeks, without coming to any action. Another design of the Danes did also miscarry. A body of Saxons broke into the territories of the duke of Brunswick, in hopes to force their army to come back to the defence of their own country: but the duke of Zell had left things in so good order, that the Saxons were beat back, and all the booty that they had taken was recovered.

\* Sir Nathan Wright would never have attained the high office to which he was promoted, by his own merits. He was thrown and left upon an elevation by the tide of fortune; and preceded by Somers, as he was followed by Cowper, was a most striking foil to two of the most talented holders of our chancery seals. He rested on a seat not too elevated for his ambition, but it was an imperium far beyond the compass of his mind. He has been succinctly described as "a good common lawyer, a slow chancellor, and a civilian; plain both in person and conversation." In another part of this work, with the excessive prejudice of a political adversary, Burnet has also impugned sir Nathan's honesty and integrity. This

is not supported by any known facts, and one contradictory narrative deserves to be recited. A watchmaker, having a cause depending in chancery, sent to the lord-keeper a very fine timepiece some few days before the case came to be heard; but sir Nathan returned it with the admonitory message, "I have no doubt of the goodness of the piece, but it has one motion in it too much for me." He was turned out of office in 1705, and died almost forgotten at Cancot Hall, Warwickshire, in 1721. He was promoted at the suggestion of the earl of Rochester.—Noble's Continuation of Grainger; Shrewsbury Correspondence.



In the meantime, the king offered his mediation, and a treaty was set on foot. The two young kings were so much sharpened against one another, that it was not easy to bring them to hearken to terms of peace. The king of Denmark proposed that the king of Poland might be included in the treaty, but the Swedes refused it: and the king was not guarantee of the treaties between Sweden and Poland, so he was not obliged to take care of the king of Poland. The treaty went on but slowly: this made the king of Sweden apprehend that he should lose the season, and be forced to abandon Riga, which began to be straitened: so to quicken the treaty he resolved on a descent in Zealand. This was executed without any opposition, the king of Sweden conducting it in person, and being the first that landed: he showed such spirit and courage in his whole conduct as raised his character very high: it struck a terror through all Denmark: for now the Swedes resolved to besiege Copenhagen. This did so quicken the treaty, that, by the middle of August, it was brought to a full end: old treaties were renewed, and a liberty of fortifying was reserved for Holstein, under some limitations: and the king of Denmark paid the duke of Holstein two hundred and sixty thousand rix-dollars for the charge of the war. The peace being thus made, the Swedes retired back to Schonen, and the fleets of England and Holland returned home. The king's conduct in this whole matter was highly applauded; he effectually protected the Swedes, and yet obliged them to accept of reasonable terms of peace. The king of Denmark suffered most in honour and interest. It was a great happiness that this war was so soon at an end; for, if it had continued, all the North must have engaged in it, and there the chief strength of the protestant religion lay: so that interest must have suffered much, which side soever had come by the worst, in the progress of the war; and it is already so weak, that it needed not a new diminution.

The secret of the partition treaty was now published, and the project was to be offered jointly, by the ministers of France, England, and the States, to all the princes of Europe; but particularly to those who were most concerned in it: and an answer was to be demanded by a day limited for it. The emperor refused to declare himself till he knew the king of Spain's mind concerning it. The duke of Savoy and the princes of Italy were very apprehensive of the neighbourhood of France. The pope was extremely old, and declined very fast. The treaty was variously censured: some thought it would deliver up the Mediterranean sea and all our trade there, into the hands of France: others thought that the treaties of princes were (according to the pattern that the court of France had set now for almost half an age,) only artifices to bring matters to a present quiet, and that they would be afterwards observed as princes found their account in them. The present good understanding that was between our court and the court of France, made that the party of our malcontents at home, having no support from thence, sunk much in their heat, and they had now no prospect; for it seemed as if the king of France had set his heart on the partition treaty, and it was necessary for him, in order to the obtaining his ends in it, to live in a good correspondence with England and the States. All our hopes were that the king of Spain might yet live a few years longer, till the great mortgages that were on the revenue might be cleared, and then it would be more easy for us to engage in a new war, and to be the arbiters of Europe.

But while we were under the apprehension of his death, we were surprised by an unlooked-for and sudden death of our young prince at home, which brought a great change on the face of affairs. I had been trusted with his education now for two years, and he had made an amazing progress. I had read over the Psalms, Proverbs, and Gospels, with him, and had explained things that fell in my way very copiously; and was often surprised with the questions that he put me, and the reflections that he made. He came to understand things relating to religion beyond imagination. I went through geography so often with him, that he knew all the maps very particularly. I explained to him the forms of government in every country, with the interests and trade of that country, and what was both good and bad in it: I acquainted him with all the great revolutions that had been in the world, and gave him a copious account of the Greek and Roman Histories, and of Plutarch's Lives: the last thing I explained to him was the Gothic constitution, and the beneficiary and fœdal laws. I talked of these things at different times nearly three hours a day: this was both

easy and delighting to him. The king ordered five of his chief ministers to come once a quarter, and examine the progress he made: they seemed amazed both at his knowledge and the good understanding that appeared in him. He had a wonderful memory, and a very good judgment. He had gone through much weakness and some years of ill health. The princess was with child of him during all the disorder we were in at the revolution, though she did not know it herself at the time when she left the court: this probably had given him so weak a constitution, but we hoped the dangerous time was over. His birthday was the 24th of July, and he was then eleven years old: he complained a little the next day, but we imputed that to the fatigues of a birthday; so that he was too much neglected. The day after, he grew much worse, and it proved to be a malignant fever. He died the fourth day of his illness, to the great grief of all who were concerned in him. He was the only remaining child of seventeen that the princess had borne, some to the full time, and the rest before it. She attended on him, during his sickness, with great tenderness, but with a grave composedness that amazed all who saw it: she bore his death with a resignation and piety that were indeed very singular. His death gave a great alarm to the whole nation: the jacobites grew insolent upon it, and said, now the chief difficulty was removed out of the way of the prince of Wales's succession. Soon after this, the house of Brunswick returned the visit that the king had made them last year, and the eyes of all the protestants in the nation turned towards the electress of Brunswick, who was daughter to the queen of Bohemia, and was the next protestant heir; all papists being already excluded from the succession. Thus, of the four lives that we had in view as our chief security, the two that we depended most on, the queen and the duke of Gloucester, were carried off on the sudden, before we were aware of it; and of the two that remained (the king and the princess), as there was no issue, and little hopes of any by either of them; so the king, who at best was a man of a feeble constitution, was now falling under an ill habit of body: his legs were much swelled, which some thought was the beginning of a dropsy, while others thought it was only a scorbutic distemper.

Thus God was giving us great alarms as well as many mercies. He bears long with us, but we are become very corrupt in all respects: so that the state of things among us gives a melancholy prospect. The nation was falling under a general discontent, and a dislike of the king's person and government: and the king, on his part, seemed to grow weary of us and of our affairs; and partly by the fret, from the opposition he had of late met with, partly from his ill health, he was falling as it were into a lethargy of mind. We were, upon the matter, become already more than half a commonwealth; since the government was plainly in the hands of the house of commons, who must sit once a year, and as long as they thought fit, while the king had only the civil list for life, so that the whole administration of the government was under their inspection; the act for triennial parliaments kept up a standing faction in every county and town of England: but, though we were falling insensibly into a democracy, we had not learned the virtues that are necessary for that sort of government: luxury, vanity, and ambition, increased daily, and our animosities were come to a great height, and gave us dismal apprehensions. Few among us seemed to have a right notion of the love of their country, and of a zeal for the good of the public. The house of commons, how much soever its power was advanced, yet was much sunk in its credit; very little of gravity, order, or common decency, appeared among them: the balance lay chiefly in the house of lords, who had no natural strength to resist the commons. The toleration of all the sects among us had made us live more quietly together of late than could be expected, when severe laws were rigorously executed against dissenters. No tumults or disorders had been heard of in any part of the kingdom these eleven years since that act passed: and yet the much greater part of the clergy studied to blow up this fire again, which seemed to be now as it were covered over with ashes.

The dissenters behaved themselves more quietly with relation to the church, they having quarrels and disputes among themselves: the independents were raising the old antinomian tenets, as if men, by believing in Christ, were so united to him, that his righteousness became theirs, without any other condition besides that of their faith: so that, though they acknowledged the obedience of his laws to be necessary, they did not call it a condition,

but only a consequence, of justification. In this they were opposed by most of the presbyterians, who seemed to be sensible that this struck at the root of all religion, as it weakened the obligation to a holy life: this year had produced a new extravagance in that matter. One Asgil, a member of parliament, had published a book grounded on their notions, on which he had grafted a new and wild inference of his own, that since true believers recovered in Christ all that they lost in Adam, and our natural death was the effect of Adam's sin, he inferred that believers were rendered immortal by Christ, and not liable to death; and that those who believed with a true and firm faith could not die. This was a strain beyond all that ever went before it; and, since we see that all men die, the natural consequence that resulted from this was, that there neither are, nor ever were, any true believers. The presbyterians had been also engaged in disputes with the anabaptists. They complained that they saw too great a giddiness in their people, and seemed so sensible of this, and so desirous to be brought into the church, that a few inconsiderable concessions would very probably have brought the bulk of them into our communion: but the greater part of the clergy were so far from any disposition this way, that they seemed to be more prejudiced against them than ever.

The quakers have had a great breach made among them by one George Keith, a Scotchman, with whom I had my first education at Aberdeen: he had been thirty-six years among them: he was esteemed the most learned man that ever was in that sect: he was well versed both in the oriental tongues, in philosophy, and mathematics: after he had been above thirty years in high esteem among them, he was sent to Pennsylvania (a colony set up by Penn, where they are very numerous), to have the chief direction of the education of their youth. In those parts, he said, he first discovered that which had been always either denied to him, or so disguised that he did not suspect it: but being far out of reach, and in a place where they were masters, they spoke out their mind plainer; and it appeared to him that they were deists, and that they turned the whole doctrine of the Christian religion into allegories; chiefly those which relate to the death and resurrection of Christ, and the reconciliation of sinners to God by virtue of his cross. He, being a true Christian, set himself with great zeal against this, upon which they grew weary of him, and sent him back to England. At his return, he set himself to read many of their books, and then he discovered the mystery which was formerly so hid from him that he had not observed it. Upon this he opened a new meeting, and by a printed summons he called the whole party to come and see the proof that he had to offer, to convince them of these errors: few quakers came to his meetings, but great multitudes of other people flocked about him: he brought the quakers' books with him, and read such passages out of them as convinced his hearers that he had not charged them falsely. He continued these meetings, being still in outward appearance a quaker, for some years; till having prevailed as far as he saw any probability of success, he laid aside their exterior, and was reconciled to the church, and is now in holy orders among us, and likely to do good service in undeceiving and reclaiming some of those misled enthusiasts\*.

The clergy continued to be much divided: all moderate divines were looked upon by some hot men with an evil eye, as persons who were cold and indifferent in the matters of the church: that which flowed from a gentleness, both of temper and principle, was represented as an inclination to favour dissenters, which passed among many for a more heinous thing than leaning to popery itself. Those men, who began now to be called the high church party, had all along expressed a coldness, if not an opposition, to the present settlement. Soon after the revolution some great preferments had been given among them, to try if it was possible to bring them to be hearty for the government; but it appearing that they were soured with a leaven, that had gone too deep to be wrought out, a stop was put to the courting them any more. When they saw preferments went in another channel, they set up a complaint over England of the want of convocations, that they were not allowed to sit, nor act, with a free liberty, to consider of the grievances of the clergy, and of the danger the church was in. This was a new pretension, never thought of since the Reformation. Some books were written to justify it, with great acrimony of style and a strain of insolence that

\* In this year (1700) he published "Reasons for renouncing the sect called Quakers." He died about the year 1715.



was peculiar to one Atterbury, who had indeed very good parts, great learning, and was an excellent preacher, and had many extraordinary things in him; but was both ambitious and virulent out of measure; and had a singular talent in asserting paradoxes with a great air of assurance, showing no shame when he was detected in them, though this was done in many instances: but he let all these pass, without either confessing his errors or pretending to justify himself: he went on still venting new falsehoods in so barefaced a manner, that he seemed to have outdone the Jesuits themselves. He thought the government had so little strength or credit, that any claim against it would be well received; he attacked the supremacy of the crown, with relation to ecclesiastical matters, which had been hitherto maintained by all our divines with great zeal. But now the hot men of the clergy did so readily entertain his notions, that in them it appeared, that those who are the most earnest in the defence of certain points, when these seem to be for them, can very nimbly change their minds upon a change of circumstances\*.

An eminent instance of this had appeared in the house of lords, in the former session, where the deprived bishop of St. David's complained of the archbishop of Canterbury: first, for breach of privilege, since sentence was passed upon him, though he had in court claimed privilege of parliament, to which no regard had been paid; but as he had waived his privilege in the house of lords, it was carried, after a long debate, and by no great majority, that in that case he could not resume his privilege. He excepted next to the archbishop's jurisdiction, and pretended that he could not judge a bishop but in a synod of the bishops of the province, according to the rules of the primitive times: in opposition to this, it was shown that, from the ninth and tenth century downward, both popes and kings had concurred to bring this power singly into the hands of the metropolitans; that this was the constant practice in England before the Reformation; that by the provisional clause in the act passed in the twenty-fifth of Henry the Eighth, that empowered thirty-two persons to draw a new body of church laws, all former laws or customs were to continue in force till that new body was prepared: so that the power the metropolitan then was possessed of stood confirmed by that clause: it is true, during the high commission, all proceedings against bishops were brought before that court, which proceeded in a summary way, and against whose sentence no appeal lay: but, after that court was taken away, a full declaration was made, by an act of parliament, for continuing the power that was lodged with the metropolitan. It was also urged, that if the bishop had any exception to the archbishop's jurisdiction, that ought to have been pleaded in the first instance, and not reserved to the conclusion of all: nor could the archbishop erect a new court, or proceed in the trial of a bishop in any other way than in that which was warranted by law or precedent. To all this no answer was given, but the business was kept up, and put off by many delays. It was said, the thing was

\* Sterne, the sentimentalist, treated his wife with unmerited unkindness; Sheridan wrote in favour of morality, and spoke vehemently against turpitude; Atterbury, mentioned in the text, declares in his letters that he was devoted to a few friends and literary leisure, when it is certain that a more bigoted theologian, or more ambitious statesman, never lived. To the praise given him by Burnet, confined to his talents, may be added, that he was a kind father, and an attached friend. Francis Atterbury, born at Middleton, or Milton-keynes, Buckinghamshire, in 1662, proceeded in his course of education to Westminster school, and Christchurch college, Oxford. From his youth he was distinguished for his literary excellence, and this never deteriorated, any more than his proneness to controversy, which appeared when he was twenty-four. His defence of Luther was the only instance in which, as a disputant, he was triumphant. His polemical opinions were too narrow, his political tenets too slavish, for him to stand firm against Dr. Hoadley, the champion of Christian and civil liberty. Atterbury dazzled by his wit, but Hoadley plainly stated the truth—so the first gained applause, and the other secured conviction. The most lengthy of his controversies was with Dr. Wake, concerning the rights, &c. of convocations, a subject which

has now little interest; but those who would engage in the enquiry will find an ample reference to authorities in Dr. Kippis's edition of the *Biographia Britannica*, article "Atterbury." When the extreme tory party came into power, during the reign of Anne, Atterbury was made bishop of Rochester. This was in 1713. But when other counsels were adopted at the accession of George the First, he shewed his disaffection by refusing to join in signing the declaration against the claims of the pretender. He also persuaded Dr. Smallridge, bishop of Bristol, not to subscribe. In 1722 he was apprehended on a charge of being concerned in a plot to restore the Stuarts to the throne. The evidence did not sufficiently substantiate the charge of high treason, so a bill was passed by the parliament to visit him with the punishment of banishment. The chief opposition to this was founded upon its being an extraordinary mode of proceeding, and upon the want of full evidence. The latter deficiency is now removed, for testimony has since been brought to light that proves the bishop's disloyalty to the house of Hanover beyond a doubt. He retired to France, where he died in 1731. His sermons and letters are excellent—Stackhouse's *Memoirs of Atterbury*; Wood's *Athenæ Oxon*; Boyer's *Hist. of Queen Anne*.

new, and the house was not yet well apprised of it; and the last time in which the debate was taken up in the house, it ended in an intimation that it was hoped the king would not fill that see, till the house should be better satisfied in the point of the archbishop's authority. So the bishopric was not disposed of for some years: and this uncertainty put a great delay to the process against the other Welch bishops accused of the same crime.

In October, the pope died; and at the same time all Europe was alarmed with the desperate state of the king of Spain's health. When the news came to the court of France that he was in the last agony, the earl of Manchester, who was then our ambassador at that court, told me that M. Torey, the French secretary of state, was sent to him by the king of France, desiring him to let the king, his master, know the news, and to signify to him that the French king hoped that he would put things in readiness to execute the treaty, in case any opposition should be made to it: and in his whole discourse he expressed a fixed resolution in the French councils to adhere to it. A few days after that, the news came of his death and of his will, declaring the duke of Anjou the universal heir of the whole Spanish monarchy. It is not yet certainly known by what means this was brought about, nor how the king of Spain was drawn to consent to it, or whether it was a mere forgery, made by cardinal Portocarrero and some of the grandees, who, partly by practice and corruption, and partly for safety, and that their monarchy might be kept entire (they imagining that the power of France was far superior to all that the house of Austria would be able to engage in its interests), had been prevailed on to prepare and publish this will; and, to make it more acceptable to the Spaniards, among other forfeitures of the crown, not only the successor's departing from what they call the catholic faith, but even his not maintaining the immaculate conception of the Virgin, was one.

As soon as the news came to Rome, it quickened the intrigues of the conclave, so they set up Albano, a man of fifty-two years of age, who, beyond all men's expectations, was chosen pope, and took the name of Clement the Eleventh: he had little practice in affairs, but was very learned; and, in so critical a time, it seems, a pope of courage and spirit, not sunk with age into covetousness or peevishness, was thought the fittest person for that see. France had sent no exclusion to bar him, not imagining that he could be thought on: at first they did not seem pleased with the choice, but it was too late to oppose it: so they resolved to gain him to their interests, in which they have succeeded beyond what they then hoped for. When the court of France had notice sent them of the late king of Spain's will, real or pretended, they seemed to be at a stand for some days; and the letters written from the secretary's office, gave it out for certain that the king would stick to the partition treaty. Madame de Maintenon had an unspeakable fondness for the duke of Anjou; so she prevailed with the dauphin to accept of the will, and set aside the treaty: she also engaged Pontchartrain to second this.

They being thus prepared, when the news of the king of Spain's death came to Fontainebleau, where the court was at that time, M. Spanheim, who was then there as ambassador of Prussia, told me, that a cabinet council was called within two hours after the news came; it met in Madame de Maintenon's lodgings, and sat about four hours; Pontchartrain was for accepting the will, and the rest of the ministry were for adhering to the treaty; but the dauphin joined for accepting the will, with an air of positiveness, that he had never assumed before: so it was believed to be done by concert with the king, who was reserved, and seemed more inclined to the treaty: in conclusion, madame de Maintenon said, what had the duke of Anjou done to provoke the king, to bar him of his right to that succession? and upon this all submitted to the dauphin's opinion, and the king seemed overcome with their reasons.

This was on Monday; but though the matter was resolved on, yet it was not published till Thursday; for then, at the king's levee, he declared, that he accepted of the will, and the duke of Anjou was now treated as king of Spain. Notice of this being sent to Spain, an ambassador came in form to signify the will, and to desire that their king might go and live among them. Upon which he was sent thither, accompanied by his two brothers, who went with him to the frontiers of Spain. When the court of France published this resolution, and sent it to all the courts of Europe, they added a most infamous excuse for this noto-

rious breach of faith. they said, the king of France considered chiefly what was the main design of the treaty, which was to maintain the peace of Europe; and therefore to pursue this, he departed from the words of the treaty, but he adhered to the spirit and the chief intent of it. This seemed to be an equivocation of so gross a nature, that it looked like the invention of a jesuit confessor, adding impudence to perjury. The king and the States were struck with this; the king was full of indignation to find himself so much abused; so he came over to England to see what was to be done upon so great an emergency. The Spaniards, seeing themselves threatened with a war from the emperor, and apprehending that the empire, together with England and the United Provinces, might be engaged to join in the war, and being unable to defend themselves, delivered all into the hands of France: and upon that, both the Spanish Netherlands and the duchy of Milan received French garrisons: the French fleet came to Cadiz; a squadron was also sent to the West Indies; so that the whole Spanish empire fell now, without a stroke of the sword, into the French power. All this was the more formidable, because the duke of Burgundy had then no children, and by this means, the king of Spain was in time likely to succeed to the crown of France; and thus the world saw the appearance of a new universal monarchy, likely to arise out of this conjunction.

It might have been expected that, when such a new unlooked-for scene was opened, the king should have lost no time in bringing his parliament together as soon as possible; it was prorogued to the 20th of November, and the king had sent orders from Holland to signify his resolution for their meeting on that day; but the ministers, whom he was then bringing into his business, had other views; they thought they were not sure of a majority in parliament for their purposes, so they prevailed with the king to dissolve the parliament, and after a set of sheriffs were pricked, fit for the turn, a new parliament was summoned, to meet on the sixth day of February, but it was not opened till the tenth.

And now I am come to the end of this century, in which there was a black appearance of a new and dismal scene; France was now in possession of a great empire, for a small part of which they had been in wars (broken off indeed in some intervals) for above two hundred years; while we in England, who were to protect and defend the rest, were, by wretched factions and violent animosities, running into a feeble and disjointed state: the king's cold and reserved manner, upon so high a provocation, made some conclude, that he was in secret engagements with France; that he was resolved to own the new king of Spain, and not to engage in a new war: this seemed so different from his own inclinations, and from all the former parts of his life, that it made many conclude that he found himself in an ill state of health, the swelling of his legs being much increased, and that this might have such effects on his mind, as to make him less warm and active, less disposed to involve himself in new troubles; and that he might think it too inconsiderate a thing to enter on a new war that was not likely to end soon, when he felt himself in a declining state of health; but the true secret of this unaccountable behaviour in the king was soon discovered.

The earl of Rochester was now set at the head of his business, and was to bring the tories into his service: they had continued, from his first accession to the throne, in a constant opposition to his interests; many of them were believed to be jacobites in their hearts, and they were generally much against the toleration, and violent enemies to the dissenters; they had been backward in every thing that was necessary for carrying on the former war; they had opposed taxes as much as they could, and were against all such as were easily levied and less sensibly felt by the people; and were always for those that were most grievous to the nation, hoping that by those heavy burdens the people would grow weary of the war and of the government: on the contrary, the whigs, by supporting both, were become less acceptable to the nation: in elections their interest was much sunk; every new parliament was a new discovery that they were become less popular, and the others, who were always opposing and complaining, were now cried up as the patriots. In the three last sessions, the whigs had showed such a readiness to give the king more force, together with a management to preserve the grants of Ireland, that they were publicly charged as betrayers of their country, and as men that were for trusting the king with an army; in a word, they were accused of too ready a compliance with the humours and interests of courts and favourites, so they were generally censured and decried: and now, since they had not succeeded to the

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king's mind, some about him possessed him with this, that either they would not, or could not serve him. In some of them indeed, their principles lay against those things, whereas the tories' principles did naturally lead them to make the crown great and powerful; it was also said, that the great opposition made to every thing the king desired, and the difficulties that had been of late put upon him, flowed chiefly from the hatred borne to those who were employed by him, and who had brought in their friends and creatures into the best posts, and they were now studying to recover their lost popularity, which would make them cold, if not backward, in complying with what the king might desire for the future: the whigs did also begin to complain of the king's conduct, of his minding affairs so little, of his being so much out of the kingdom, and of his ill choice of favourites; and they imputed the late miscarriages to errors in conduct, which they could neither prevent nor redress: the favourites, who thought of nothing but to continue in favour, and to be still safe and secure in their credit, concurred to press the king to take other measures, and to turn to another set of men, who would be no longer his enemies, if they had some of the best places shared among them; and though this method had been almost fatal when the king had followed it, soon after his first accession to the crown, yet there seemed to be less danger in trying it now than was formerly. We were in full peace; and it was commonly said, that nobody thought any more of king James, and therefore it was fit, for the king's service, to encourage all his people to come into his interests, by letting them see how soon he could forget all that was past. These considerations had so far prevailed with him, that before he went out of England, he had engaged himself secretly to them; it is true, the death, first of the duke of Gloucester, and now of the king of Spain, had very much changed the face of affairs, both at home and abroad; yet the king would not break off from his engagements.

Soon after his return to England, the earl of Rochester was declared lord lieutenant of Ireland, and he had the chief direction of affairs\*. And that the most eminent man of the whigs might not oppose them in the new parliament, they got Mr. Montague to be made a baron, who took the title of Halifax, which was sunk by the death of that marquis, without issue male. The man on whose management of the house of commons this new set depended, was Mr. Harley, the heir of a family which had been hitherto the most eminent of the presbyterian party; his education was in that way; but he, not being considered at the revolution as he thought he deserved, had set himself to oppose the court in every thing, and to find fault with the whole administration. He had the chief hand, both in the reduction of the army, and in the matter of the Irish grants: the high party trusted him, though he still kept up an interest among the presbyterians; and he had so particular a dexterity, that he made both the high church party and the dissenters depend upon him; so it was agreed that he should be speaker†. All this while, the new ministers talked of nothing but negotiations, and gave it out, that the king of France was ready to give all the security that could be desired, for maintaining the peace of Europe. At this time the emperor sent over

\* Rochester, we have seen, was reconciled to queen Mary by the influence of Burnet; he was restored to the favour of the king by Mr. Harley.—Clarendon Correspondence.

† It will be only necessary to detail in this note the early and concluding events of Mr. Harley's life. Those which marked his mid-career are related by Burnet. Robert Harley, born in Bow-street, Covent Garden, during 1661, was the son of sir Edward Harley. Being destined for the army, it does not appear to have been thought requisite to send him to an university, and his education ceased at a private school in Oxfordshire. He is thus an instance that a man's fondness for, and excellence in literary attainments, depend chiefly upon himself; for he not only is the still remembered patron of learning, but excelled as a writer. Upon the landing of William, he, in common with his father and brothers, made exertions in his favour; but from some disgust did not obtain employment under William and Mary, though he came into favour at the closing of the former's life. No one understood better the duties of the speaker of the house of

commons. His eloquence was artificial: he never made confidants, so his plans as a statesman were rarely discovered before his own appointed time. Sanguine in his temperament, yet he had a perfect command over his passion. Abounding in wit and humour, he justly applauded it when even employed upon himself, and rebuked those who resented such playful freedoms. He was a strict dissenter, though a leader of the tories; and although among his chaplains he always had one of the established church. Although he cherished the dissenters, yet churchmen admired and supported him. Just before the death of queen Anne, in 1714, he retired from office, and the next year afforded another instance of popular fickleness, being impeached by the house of commons, and confined two years in the Tower, though eventually acquitted. He died in 1724. His books, the catalogue of which fills four octavo volumes, were sold by auction; but his collection of MSS. fortunately are preserved entire in the British Museum.—Collins's Peerage; Noble's Contin. of Grainger; Boyer's Queen Anne; Coxe's Memoirs of Marlborough, &c.

to England a minister to set forth his title to the Spanish monarchy, settled on his house by ancient entails, often repeated, and now devolving on him by an undoubted right, since by the renunciation made by the late queen of France, (as was stipulated by the treaty of the Pyrenees, and then made by her in due form) this could not be called in question. Our new ministers were scarcely civil to the emperor's envoy, and would not enter into any consultations with him: but the Dutch who were about the king, and all the foreign ministers, spoke in another style; they said that nothing but a general union of all the powers in Europe, could hinder the conjunction of the two monarchies; so, by what those who talked often with the king gave out, it came to be soon known that the king saw the necessity of a new war, but that he kept himself in a great reserve that he might manage his new ministers and their party, and see if he could engage them to concur with him.

But before I conclude the relation of this year, at which the century ends, I must close it with an account of the king of Sweden's glorious campaign; he made all the haste he could to relieve Livonia, where not only Riga was for some months besieged by the king of Poland, but Narva was also attacked by the czar, who hoped by taking it to get an entrance into the Baltic: the czar came in person against it with an army of one hundred thousand men: Narva was not provided for a siege; it had a small garrison, and had very poor magazines, yet the Muscovites attacked it so feebly, that it held out beyond all expectation till the end of the year. Upon the king of Sweden's landing at Revel, the Saxons drew off from Riga, after a long siege at a vast charge; this being done, and Riga both opened and supplied, that king marched next to Narva. The czar, upon his march towards him, left his army in such a manner as made all people conclude he had no mind to hazard his person; the king marched through ways that were thought so impracticable, that little care had been taken to secure them; so he surprised the Muscovites, and broke into their camp before they apprehended he was near them; he totally routed their army, took many prisoners, with all their artillery and baggage, and so made a glorious entry into Narva\*. This is the noblest campaign that we find in any history, in which a king about eighteen years of age led an army himself against three kings, who had confederated against him, and was successful in every one of his attempts, giving great marks both of personal courage and good conduct in them all; and which is more extraordinary, an eminent measure both of virtue and piety appeared in his whole behaviour. In him the world hoped to see another Gustavus Adolphus, who conquered, or rather possessed himself of Livonia, in the same year of his age, in which this king did now so gloriously recover it, when almost lost by the invasion of two powerful neighbours. There were great disorders at this time in Lithuania, occasioned by the factions there, which were set on and fomented by the king, who seemed to aspire to be the hereditary king of Poland. But as these things are at a great distance from us, so since we have no public minister in those parts, I cannot give an account of them, nor form a true judgment thereupon. The eighteenth century began with a great scene, that opened with it.

The new king of Spain wrote to all the courts of Europe, giving notice of his accession to that crown, only he forgot England: and it was publicly given out that he had promised the pretended prince of Wales, that in due time he would take care of his interests: the king and the States were much alarmed when they beheld the French possessed of the Spanish Netherlands: a great part of the Dutch army lay scattered up and down in those garrisons, more particularly in Luxemburg, Namur, and Mons, and these were now made prisoners of war: neither officers nor soldiers could own the king of Spain, for their masters had not yet done it: at this time the French pressed the States very hard to declare themselves; a great party in the States were for owning him, at least in form, till they could get their troops again into their own hands, according to capitulation; nor were they then in a condition to resist the impression that might have been made upon them from the garrisons in the Spanish Guelder, who could have attacked them before they were able to make head: so the States consented to own the king of Spain. That being done, their battalions were sent back, but they were ill used, contrary to capitulation, and the soldiers were tempted to desert their service, yet very few could be prevailed on to do it.

As soon as our parliament was opened, it appeared that the French had a great party in

\* See Voltaire's Hist. of Charles the Twelfth.

it ; it is certain great sums came over this winter from France ; the packet-boat came seldom without 10,000 louis-d'or ; it brought often more : the nation was filled with them, and in six months' time, a million of guineas were coined out of them : the merchants indeed said, that the balance of trade was then so much turned to our side, that, whereas we were wont to carry over a million of our money in specie, we then sent no money to France ; and had at least half that sum sent over to balance the trade ; yet this did not account for that vast flood of French gold that was visible amongst us : and, upon the French ambassador's going away, a very sensible alteration was found in the bills of exchange : so it was concluded that great remittances were made to him, and that these were distributed among those who resolved to merit a share in that wealth, which came over now so copiously beyond the example of former times. The king, in his speech to the parliament, in the most effectual manner possible, recommended the settling the succession of the crown, in the protestant line ; and with relation to foreign affairs, he laid them before the two houses that they might offer him such advices as the state of the nation and her alliances required ; but he did not so much as intimate to them his own thoughts concerning them. A design was laid in the house of commons, to open the session with an address to the king, that he would own the king of Spain : the matter was so far concerted, that they had agreed on the words of the vote, and seemed not to doubt of the concurrence of the house ; but Mr. Monkton opposed it with great heat, and among other things said, that if that vote was carried, he should expect that the next vote to be put, would be for owning the pretended prince of Wales : upon this occasion it appeared, how much popular assemblies are apt to be turned by a thing boldly said, though the consequence is ever so remote ; since the connection of these two points lay at some distance, yet the issue of the debate was quite contrary to that which was designed ; it ended in an address to the king, to enter into new alliances with the States for our mutual defence, and for preserving the liberty and peace of Europe : these last words were not carried without much difficulty ; they were considered, as they were indeed, an insinuation towards a war.

Upon the view of the house, it appeared very evidently, that the tories were a great majority ; yet they, to make the matter sure, resolved to clear the house of a great many that were engaged in another interest : reports were brought to them of elections that had been scandalously purchased, by some who were concerned in the new East-India company. Instead of drinking and entertainments, by which elections were formerly managed, now a most scandalous practice was brought in of buying votes with so little decency, that the electors engaged themselves by subscription to choose a blank person before they were trusted with the name of their candidate. The old East-India company had driven a course of corruption within doors with so little shame, that the new company intended to follow their example, but with this difference, that, whereas the former had bought the persons who were elected, they resolved to buy elections. Sir Edward Seymour, who had dealt in this corruption his whole life-time, and whom the old company was said to have bought before, at a very high price, brought before the house of commons the discovery of some of the practices of the new company ; the examining into these took up many days. In conclusion, the matter was so well proved, that several elections were declared void ; and some of the persons so chosen were for some time kept in prison ; after that they were expelled the house. In these proceedings great partiality appeared ; for when in some cases corruption was proved clearly against some of the tory party, and but doubtfully against some of the contrary side, that, which was voted corruption in the latter, was called the giving alms in those of the former sort. Thus, for some weeks, the house seemed to have forgotten all the concerns of Europe, and was wholly employed in the weakening of one side, and in fortifying the other. To make some show of zeal for the public safety, they voted thirty thousand men for the fleet ; but they would allow no marines, though they were told that a fleet without these was only a good security for our own defence, but could have no influence on the affairs of Europe, either to frighten, or to encourage those abroad ; such a fleet, as it could not offend, so it was much too strong if it was intended only for a defence, and it looked like a needless wasting the treasure of the nation to employ so much of it to so little purpose, and only to make a show.



While the house of commons was going on, minding only party matters, a design was laid in the house of lords to attack the Partition Treaty, and some of those who were concerned in it. They began with an address to the king, that he would order all the treaties made since the peace of Ryswick, to be laid before them. This was complied with so slowly, that they were not brought to the house till the 26th of February, and no notice was taken of them till the 10th of March. It soon appeared that this was done by a French direction. The court of France (perceiving that the Dutch were alarmed at their neighbourhood, and were increasing their force, both by sea and land, and were calling upon their allies to furnish their quotas, which they were bound by treaties to send to their defence) entered upon a negotiation with them at the Hague, to try what would lay these fears. Upon this, in the beginning of March, the States, in conjunction with Mr. Stanhope, the English envoy at the Hague, gave in memorials, in which they insisted on the violation of the Partition Treaty, and particularly on the French possessing themselves of the Spanish Netherlands; they also desired, that the emperor might have just satisfaction in his pretensions, and that in the mean while, Luxemburg, Namur, Mons, and Ath, might be put in their hands; and Ostend and Newport into the hands of the English, and both they and the Dutch might have a free trade, as before, to all the Spanish dominions. The French seeing these demands run so high, and being resolved to offer no other security for the peace of Europe, but the renewing the treaty of Ryswick, set all their engines at work in England, to involve us into such contentions at home as should both disable us from taking any care of foreign affairs, and make the rest of Europe conclude, that nothing considerable was to be expected from England. As soon as the news of those memorials could come to England, the marquis of Normanby and the rest of the tories took up the debate concerning the Partition Treaty; this they managed with great dexterity, while the matter was as much neglected by the king, who went that day to Hampton-court, where he stayed some time; by this means, no directions were given, and we were involved in great difficulties before the court was aware of it; the king either could not prevail with his new ministers, to excuse the treaty, if they would not justify it, or he neglected them so far, as not to speak to them at all about it. Those who attacked it, said, they meant nothing in that but to offer the king advices for the future, to prevent such errors as had been committed in that treaty, both as to matter and form. They blamed the giving such territories to the crown of France, and the forsaking the emperor; they also complained of the secrecy in which the treaty was carried on, it not being communicated to the English council, or ministry, but privately transacted by the earls of Portland and Jersey: they also blamed the putting the great seal, first to blank powers, and then to the treaty itself, which, the king's new ministers said, was unjust in the contrivance and ridiculous in the execution. To all this, it was answered, that there not being a force ready and sufficient to hinder the French from possessing themselves of the Spanish monarchy, which they were prepared for, the emperor had desired the king to enter into a treaty of partition, and had consented to every article of it, except that which related to the duchy of Milan; but the king, not thinking that worth the engaging in a new war, had obtained an exchange of it for the duchy of Lorrain: the emperor did not agree to this, yet he pressed the king not to break off the treaty, but to get the best terms he could for him, and above all things, he recommended secrecy, that so he might not lose his interest in Spain, by seeming to consent to this partition. It is certain that, by our constitution, all foreign negotiations were trusted entirely to the crown; that the king was under no obligation by law, to communicate such secrets to his council, or to hear, much less was he obliged to follow, their advices: in particular it was said, that the keeper of the great seal had no sort of authority to deny the putting it, either to powers for a treaty, or to any treaty which the king should agree to; the law gives no direction in such matters, and he could not refuse to put the great seal to any thing, for which he had an order from the king, unless the matter was contrary to law, which had made no provision in this case: they insisted most, on the other side, upon the concluding a treaty of this importance, without communicating it first to the privy council; so the first day of the debate ended with this.

The earl of Portland apprehending that this might fall too heavy on him, got the king's leave to communicate the whole matter next day to the house; so he told them that he had

not concluded the treaty alone, but had, by the king's order, acquainted six of his chief ministers with it, who were, the earls of Pembroke and Marlborough, the viscount Lonsdale, the lords Somers and Halifax, and secretary Vernon; upon which those lords, being likewise freed by the king from the oath of secrecy, told the house, that the earl of Jersey, having in the king's name called them together, the treaty was read to them, and that they excepted to several things in it, but they were told that the king had carried the matter as far as was possible, and that he could obtain no better terms: so when they were told, that no alterations could be made, but that every thing was settled, they gave over insisting on particulars; they only advised that the king might not engage himself in any thing that would bring on a new war, since the nation had been so uneasy under the last. This was carried to the king, and a few days after that, he told some of them that he was made acquainted with their exceptions, but how reasonable soever they were, he had driven the matter as far as he could: the earl of Pembroke said to the house of lords, he had offered the king those advices that he thought were most for his service, and for the good of the nation; but that he did not think himself bound to give an account of that to any other persons: he was not the man struck at, so there was nothing said, either against him, or the earls of Marlborough or Jersey; upon this the debate went on; some said this was a mockery to ask advice when there was no room for it: it was answered, the king had asked the advice of his privy council, and they had given it; but that such was the regal prerogative, that it was still free to him to follow it or not, as he saw cause.

In conclusion, the house of lords resolved to set out this whole matter in an address to the king, complaining both of the Partition Treaty, and of the method in which it had been carried on: the lord Wharton moved an addition to the address, that, whereas the French king had broken that treaty, they should advise the king to treat no more with him, or rely on his word without further security: this was much opposed by all those who were against the engaging in a new war; they said all motions of that kind ought to come from the house of commons, who only could support such an advice, that did upon the matter engage us into a new war; nor would they lay any blame on the breaking of a treaty which they were resolved to condemn; they also excepted to the words "further security" as ambiguous; yet the majority of the house agreed to it; for there was such treachery in the French negotiations, that they could not be relied on without a good guarantee and the pledge of some strong places. It now plainly appeared, that the design was, to set on the house of commons to impeach some of the lords who had been concerned in the Partition Treaty, for it was moved to send the address to the house of commons for their concurrence; but that was not carried. The king seemed to bear all this with his usual coldness; and the new ministers continued still in his confidence, but he laid the matter much to heart; now he saw the error he had fallen into by the change he had made in the ministry: it was plain they resolved to govern him in every thing, and not to be governed by him in any one thing.

As soon as this was over, the earl of Jersey did, by the king's order, bring to the house of lords the memorials that had been given in at the Hague, and then by comparing dates, it was easy to conjecture why the Partition Treaty had been let lie so long on the table, and it seemed as if it was taken up at last only to blast this negotiation; a French management appearing very plainly in the whole steps that had been made. The house of commons began, at the same time, not only to complain of the Partition Treaty, but likewise of the demand of Ostend and Newport, nor would they show any concern for the emperor's pretensions; the Dutch demanded the execution of the treaty that king Charles had made with them, in the year 1677, by which England was bound to assist them with ten thousand men and twenty ships of war, if they were attacked; some endeavoured all that was possible to put this off for the present, pretending that they were not yet attacked; others moved that the pay of ten thousand men might be given to them, with the twenty ships, as a full equivalent to the treaty; yet they not liking this, it was in conclusion agreed to send the ten thousand men; five thousand of these were to be drawn out of the army in Ireland, and five thousand of them were to be new levied; but they took care that Ireland should not be provided with any new forces in their stead, so jealous were they of trusting the king with an army. The representation sent over by the States, setting forth the danger they were in, and desiring

the assistance of England, was penned with great spirit, and in a very moving strain: the house of lords did, upon a debate on that subject, make an address to the king to enter into leagues offensive and defensive with the emperor and other princes and States, who were interested against the conjunction of the French and Spanish monarchies; but the house of commons could not, upon this occasion, be carried further than to advise the king, to enter into such alliances as should be necessary for our common security, and for the peace of Europe. This coldness and uncertainty in our councils gave the French great advantages in their negotiations, both in Germany and in Portugal. They tried the courts of Italy, but without success; only the duke of Mantua consented that they should make a show, as if they had surprised him, and so force him to put Mantua in their hands: the pope and the Venetians would not declare themselves; the pope favoured the French, as the Venetians did the emperor, who began the war with a pretension on the duchy of Milan, as a fief of the empire that devolved on him; and he was making magazines, both in Tyrol and at Trent: the French seemed to despise all he could do, and did not apprehend that it was possible for him to march an army into Italy; both the king and the States pressed him to make that attempt. The elector of Bavaria, and some of the circles, had agreed to a neutrality this year; so there was no hope of doing much upon the Rhine, and the French were making the Italians feel what insolent masters they were likely to prove; so a general uneasiness among them, determined the emperor to send an army into Italy under the command of prince Eugene. England was all this while very unwilling to engage; yet for fear we should at last have seen our interest so clearly that we must have fallen into it, those who were practised on to embroil us, so that we might not be in a condition to mind foreign affairs, set on foot a design to impeach the former ministry.

The handle that brought this about was given by the earl of Portland; when he was excusing his own part in the Partition Treaty, he said, that having withdrawn himself from business, and being at his country-house in Holland, the king sent to him, desiring him to enter upon that negotiation; upon that he wrote to secretary Vernon\*, to ask his advice and the advice of his other friends, whether it was fit for him to meddle in that matter, since his being by birth a foreigner, seemed a just excuse for not engaging in a thing of such consequence: to this secretary Vernon answered, that all his friends thought he was a very proper person to be employed in that treaty, since he had known the progress of all those treaties, and the persons who were employed on that occasion; and he named the lord Somers among those who had advised this. The earl of Portland had mistaken this circumstance, which did not belong to the last partition treaty, but to that of the year before, in favour of the prince electoral of Bavaria. The house of commons hearing of this, required secretary Vernon to lay before them that letter, with his answer to it; for the earl of Portland said, that he had left all papers relating to that matter in Holland. Vernon said he had received no such letter in the year 1699; so that led them to enquire farther, and they required him to lay before them all the letters he had relating to both treaties: he said, those were the king's secrets, written in confidence by the persons he employed. But in such a case, a house of commons will not be put off; a denial rather raises in them more earnestness in following their point: it was said, the king had dispensed with the oath of secrecy when he ordered

\* James Vernon descended from a respectable family, seated at Haslington, in Cheshire. Early in life he was initiated in official business, being placed in the secretary of state's office. Afterwards he enjoyed the duke of Shrewsbury's entire confidence as his private secretary, and under secretary of state. There are three quarto volumes of his letters to this nobleman in the possession of the Buccleugh family. When lords justices presided during the absence of king William, he acted as secretary of state, and in 1697, upon sir W. Trumbull's resignation, he was permanently appointed to this office. Upon queen Anne's accession, he made way for the earl of Nottingham, but was appointed to the sinecure of a teller of the exchequer. He died in 1727, aged eighty-three, and is buried at Watford, in Hertfordshire. In Mackay's "Characters of the Court of Great Britain," a contem-

porary work, said to have been written by a Mr. Davis, an officer of the customs, he is thus mentioned. "No man understands all parts of that great office (of secretary) better than he, nor could manage it with more prudence at so intricate a time as the last two years of his administration. He is indefatigable in business, and may be called a *drudge* in office. An ill wife hath much soured his temper, which makes him rougher in business than could be expected from one of his sense and experience; but that roughness is attended with so much candour, and is distributed equally to all who have business with him, that makes it easier borne. Never any secretary wrote so many letters with his own hand, or in a better style."—Clarendon Correspondence; Shrewsbury Correspondence.



all matters to be laid before them, and they would admit of no excuse. Vernon upon this went to the king, and told him, since these were his secrets, he was ready to expose himself to the indignation of the house, and to refuse to show his letters: but the king said, his refusing to do it would not only raise a storm against himself, from which the king could not protect him, but it would occasion an address to the king, to order him to lay every thing before the house, which in the state that things were in then, he could not deny: Vernon, upon these orders given him, at two different times, carried all the letters, and laid them before the house of commons: it appeared by these, that he had communicated the treaty to the king's ministers, who were in town, about the end of August, 1698: that lord Somers being then at Tunbridge, he went to him, and that he had communicated the project, both to the earl of Orford and the lord Halifax; several objections were made by them to many parts of the treaty, which were mentioned in Vernon's letters, but, if better terms could not be had, they thought it was better to conclude the treaty, than to leave the Spanish monarchy to be overrun by France, or to involve Europe in a new war. Lord Somers had also put the seals to blank powers for concluding this treaty. When all this was read, those who were set on to blow up the flame, moved the house to impeach some of the ministers who had been concerned in this transaction; yet in this they proceeded with so visible a partiality, that though the earl of Jersey had signed the treaty, had been plenipotentiary at Ryswick, ambassador in France, and secretary of state, while the Partition Treaty was negotiating; yet he, having joined himself to the new ministry, was not questioned about it: the party said, he had been too easily drawn into it, but that he was not in the secret, and had no share in the councils that projected it.

On the first of April, the house of commons brought up a general impeachment of the earl of Portland, for high crimes and misdemeanors; but the chief design was against the earl of Orford, and the lords Somers and Halifax. Their enemies tried again what use could be made of Kid's business, for he was taken in our northern plantations in America, and brought over: he was examined by the house, but either he could not lay a probable story together, or some remnants of honesty raised in him by the near prospect of death, restrained him; he accused no person of having advised, or encouraged, his turning pirate; he had never talked alone with any of the lords, and never at all with lord Somers; he said he had no orders from them, but to pursue his voyage against the pirates in Madagascar. All endeavours were used to persuade him to accuse the lords; he was assured that, if he did it, he should be preserved; and if he did it not, he should certainly die for his piracy; yet this could not prevail on him to charge them: so he, with some of his crew, were hanged, there appearing not so much as a colour to fasten any imputation on those lords; yet their enemies tried what use could be made of the grant of all that Kid might recover from the pirates, which some bold and ignorant lawyers affirmed to be against law\*. So this matter was for the fourth time debated in the house of commons, and the behaviour of those peers in it appeared to be so innocent, so legal, and, in truth, so meritorious, that it was again let fall. The insisting so much on it served to convince all people, that the enemies of these lords wanted not inclinations, but only matter to charge them, since they made so much use of this: but so partial was a great part of the house, that the dropping this was carried only by a small majority: when one design failed, another was set up.

It was pretended, that by secretary Vernon's letters it was clearly proved, that the lord Somers had consented to the Partition Treaty; so a debate coming on concerning that, lord Somers desired that he might be admitted to give an account of his share in it to the house of commons; some opposition was made to this, but it had been always granted, so it could not be denied him: he had obtained the king's leave to tell every thing; so that when he appeared before the house, he told them, the king had written to him, that the state of the king of Spain's health was desperate, and that he saw no way to prevent a new war, but to accept of the proposition the French made for a partition; the king sent him the scheme of this, and ordered him to communicate it to some others, and to give him both his own opinion, and theirs, concerning it, and to send him over powers for a treaty, but in the most

\* Queen Anne gave Kid's property, amounting to 6472*l.*, to Greenwich Hospital.—Noble's Continuation of Granger.

secret manner that was possible ; yet the king added, that, if he and his other ministers thought that a treaty ought not to be made upon such a project, then the whole matter must be let fall, for he could not bring the French to better terms. Lord Somers upon this said, that he thought it was the taking too much upon himself, if he should have put a stop to a treaty of such consequence : if the king of Spain had died before it was finished, and the blame had been cast on him for not sending the necessary powers, because he was not ordered to do it by a warrant in full form, he could not have justified that, since the king's letter was really a warrant, and therefore he thought he was bound to send the powers that were called for, which he had done ; but at the same time he wrote his own opinion very fully to the king, objecting to many particulars, if there was room for it, and proposing several things, which, as he thought, were for the good and interest of England. Soon after the powers were sent over by him, the treaty was concluded, to which he put the great seal, as he thought he was bound to do : in this, as he was a privy councillor, he had offered the king his best advice ; and, as he was chancellor, he had executed his office according to his duty. As for putting the seal to the powers, he had done it upon the king's letter, which was a real warrant, though not a formal one. He had indeed desired, that a warrant in due form might be sent him for his own security ; but he did not think it became him to endanger the public only for want of a point of form, in so critical a time, where great dispatch was requisite. He spoke so fully and so clearly, that upon his withdrawing, it was believed, if the question had been quickly put, the whole matter had been soon at an end, and that the prosecution would have been let fall ; but his enemies drew out the debate to such a length, that the impression which his speech had made, was much worn out ; and the house sitting till it was past midnight, they at last carried it, by a majority of seven or eight, to impeach him and the earl of Orford and the lord Halifax of high crimes and misdemeanors : the general impeachment was brought up the next day to the lords' bar.

The commons were very sensible that those impeachments must come to nothing, and that they had not a majority in the house of lords to judge in them as they should direct ; so they resolved on a shorter way to fix a severe censure on the lords, whom they had thus impeached : they voted an address to the king for excluding them from his presence, and councils, for ever. This had never gone along with an impeachment before ; the house of commons had indeed begun such a practice in king Charles the Second's time : when they disliked a minister, but had not matter to ground an impeachment on, they had taken this method of making an address against him, but it was a new attempt to come with an address after an impeachment. This was punishing before trial, contrary to an indispensable rule of justice, of not judging before the parties were heard : the lords saw that this made their judicature ridiculous, when, in the first instance of an accusation, application was made to the king for a censure, and a very severe one ; since few misdemeanors could deserve a harder sentence. Upon these grounds, the lords prevented the commons, and sent some of their body to the king, with an address, praying him, that he would not proceed to any censure of these lords till they had undergone their trial. The king received these addresses, so contrary one to another, from both houses, but made no answer to either of them ; unless the letting the names of these lords continue still in the council books, might be taken as a refusing to grant what the commons had desired. They renewed their address, but had no direct answer from the king ; this, though a piece of common justice, was complained of, and it was said, that these lords had still great credit with the king : the commons had, for form's sake, ordered a committee to prepare articles of impeachment, but they intended to let the matter sleep ; thinking that, what they had already done had so marked those lords, that the king could not employ them any more, for that was the main thing they drove at.

While this was in agitation, a letter came to the king from the king of Spain, giving notice of his accession to that crown ; it was dated the day after he entered into Spain, but the date and the letter were visibly written at different times : the king ordered the letter to be read in the cabinet council ; there was some short debate concerning it, but it was never brought into any further deliberation there. The earl of Rochester saw the king seemed distrustful of him, and reserved to him in that matter, and was highly offended at it : he and the rest of the new ministry pressed the king to own the king of Spain, and to answer his

letter ; and since the Dutch had done it, it seemed reasonable that the king should likewise do it : they prevailed at last, but with much difficulty ; the thing was kept secret, and was not communicated to the privy council, or to the two houses, nor did the king speak of it to any of the foreign ministers : the Paris Gazette gave the world the first notice of it. This being carried in such a manner seemed the more strange, because his ministry had so lately condemned a former one, for not communicating the Partition Treaty to the council before it was concluded ; and yet had, in a matter of great consequence, so soon forgotten the censures they had thrown out so liberally upon the secrecy with which that matter had been transacted. While things were moving in such a slow, and uncertain, pace in England, the Dutch had daily new alarms brought them, of the forces that the French were pouring into their neighbourhood ; into the Spanish Guelder on the one hand, and into Antwerp on the other ; so that they were apprehensive of a design both upon Nimeguen, and Bergen-op-zoom : they took the best care they could to secure their frontier : the negotiations went on slowly at the Hague ; the French rejected all their demands, and offered nothing but to renew the peace of Ryswick : this the Dutch laid again before the king, in a very awakening strain ; and he sent all to the house of commons, but they could not be brought to declare that the offers made by the French were not sufficient. D'Avaux, seeing this coldness in our counsels, refused to treat any more with the Dutch, in conjunction with the envoy of England, and said his powers directed him only to them : this put a full stop to all further treaty ; for the States said, they were engaged in such a close conjunction with England, that they could not enter on a separate treaty. In the mean while they armed powerfully ; and our fleet, in conjunction with theirs, were masters of the sea ; but for want of marines, they were in no condition to make any impression on the enemy. The emperor went on with his preparation for a campaign in Italy : the French sent an army into the Milanese, that they reckoned would be much superior to any force the emperor could send thither : the duke of Savoy was engaged in the interest of France by king Philip's marrying his second daughter : the pope still refused to give the investiture of Naples, or to accept the annual present, for he would not quite break with the emperor.

The French practices were every where the more prevalent, because they gave out that England would not engage in a war, and the face of our affairs looked but dark at home. The emperor's ministers had an uneasy time among us ; the king encouraged them, but the new ministers were scarcely civil to them, and studied to put them quite out of hope. The king of Denmark entered into a treaty with the emperor and the States. Great pains were taken to mediate a peace between Sweden and Poland. The court of France, as well as that of Vienna, tried it ; both sides hoping that Sweden, if not Poland, might enter into their interests : the French reckoned that Denmark and Sweden could never be on the same side ; so, when they found they could not gain Denmark, they tried a mediation, hoping to get Sweden into an alliance with them, but all attempts for a mediation proved unsuccessful. The diet of Poland was put off, and their king, being delivered from them, resolved to carry on the war. The Spaniards, and the subjects of their other dominions, began to feel the insolence of the French very sensibly ; but nothing was more uneasy to them than the new regulations they were endeavouring to bring in, to lessen the expense of the court of Spain. So they seemed well disposed to entertain a new pretender.

While all these things were in a ferment all Europe over, the declaring a protestant successor, after the princess and such issue as she might have, seemed to be forgotten by our parliament, though the king had begun his speech with it. The new ministers spoke of it with much zeal ; from this their friends made inferences in their favour, that certainly men, in the interests of France, would not promote a design so destructive of all they drove at. This was so little of a piece with the rest of their conduct, that those who were still jealous of their sincerity looked on it as a blind, to cover their ill designs, and to gain them some credit ; for they could not but see that if France was once possessed of the power and wealth of Spain, our laws, and every thing that we could do to support them, would prove but feeble defences. The manner in which this motion of the succession was managed did not carry in it great marks of sincerity : it was often put off from one day to another, and it gave place to the most trifling matters. At last, when a day was solemnly set for it, and



all people expected that it should pass without any difficulty, Harley moved that some things previous to that might be first considered. He observed that the haste the nation was in, when the present government was settled, had made us go too fast and overlook many securities, which might have prevented much mischief, and therefore he hoped they would not now fall into the same error. Nothing pressed them at present, so he moved they would settle some conditions of government, as preliminaries, before they should proceed to the nomination of the person; that so we might fix every thing that was wanting to make our security complete. This was popular and took with many, and it had so fair an appearance that indeed none could oppose it; some weeks were spent upon it. Suspicious people thought this was done on design to blast the motion, and to offer such extravagant limitations as should quite change the form of our government, and render the crown titular and precarious. The king was alarmed at it, for almost every particular that was proposed implied a reflection on him and his administration, chiefly that of not employing strangers, and not going too often out of the kingdom: it was proposed that every thing should be done with the advice of the privy council, and every privy councillor was to sign his advice. All men who had places or pensions were made incapable of sitting in the house of commons. All this was unacceptable to the king, so, many who had an ill opinion of the design of those who were now at the helm, began to conclude that the delays were affected, and that these limitations were designed to raise disputes between the two houses, by which the bill might be lost. When some time had been spent in those preliminaries, it came to the nomination of the person. Sir John Bowles, who was then disordered in his senses, and soon after quite lost them, was set on by the party to be the first that should name the electress dowager of Brunswick, which seemed done to make it less serious when moved by such a person: he was, by the forms of the house, put in the chair of the committee, to whom the bill was committed. The thing was still put off for many weeks; at every time that it was called for, the motion was entertained with coldness, which served to heighten the jealousy: the committee once or twice sat upon it, but all the members ran out of the house with so much indecency, that the contrivers seemed ashamed of this management: there were seldom fifty or sixty at the committee: yet in conclusion it passed, and was sent up to the lords, where we expected great opposition would be made to it: some imagined the act was only an artifice, designed to gain credit to those who, at this time, were so ill thought of over the nation, that they wanted some colourable thing to excuse their other proceedings. Many of the lords absented themselves on design. Some little opposition was made by the marquis of Normanby\*; and four lords, the earls of Huntington and Plymouth and the lords Guilford and Jefferies, protested against it. Those who wished well to the act were glad to have it passed any way, and so would not examine the limitations that were in it: they thought it

\* Of the public career of John Sheffield, successively known by the titles of earl Mulgrave, marquis Normanby, and duke of Buckinghamshire, little need be said in addition to that which is scattered through the pages of Burnet. He was born in 1649, the son of Edmund, earl of Mulgrave. His youth is remarkable for an effort, which Dr. Johnson justly observes "delights as it is strange, and instructs as it is real." His father dying while he was a child, he was placed under so distasteful a tutor, that, although only twelve years old, he resolved to educate himself. "His literary acquisitions are more wonderful, as those years in which they are commonly made were spent by him in the tumult of a military life, or the gaiety of a court." He served against the Dutch, in the fleet commanded by prince Rupert and the duke of Albemarle; had the command of a troop of horse, and received a summons to parliament when but eighteen; but this being censured by the duke of Newcastle as improper, his objection was successful. He opposed the duke of Monmouth, and was recompensed with the lieutenancy of Yorkshire, and the governorship of Hull. In 1680 he successfully conducted an expedition for the relief of Tangier. On the succession of James he was made lord chamberlain: yet, at the revolution, he submitted to king

William, though he did not invite him over. It was proposed that he should be asked to sign the invitation, but the earl of Shrewsbury opposed it, on the ground that Mulgrave would never concur. William asked him what he would have done, if the proposal had been made? To which he replied, "Sir, I would have discovered it to the king whom I then served." William answered, "I cannot blame you." After queen Anne's death he was a fixed opponent of the court; and, having no public employment, is supposed to have amused himself by writing his two tragedies. He died in 1721. In early life, it is said, he presumed to address princess Anne as a lover; but, subsequently, courted and married three widows. In Mackay's "Characters," he is described as "a nobleman of learning and good natural parts, but of no principles. Violent for the high church, yet seldom goes to it; very proud, insolent, and covetous, and takes all advantages. In paying his debts, unwilling; and is neither esteemed nor beloved." He is said, however, to have had much tenderness, and to have been very ready to apologize for his violences of passion.—(Johnson's *Lives of the Poets*; Clarendon Correspondence.) He was the builder of Buckingham house, now the royal palace, at Piccadilly.

of great importance to carry the act, and that at another time those limitations might be better considered: so the act passed, and the king sent it over by the earl of Macclesfield to the electoress, together with the garter to the elector. We reckoned it a great point carried that we had now a law on our side for a protestant successor; for we plainly saw a great party formed against it, in favour of the pretended prince of Wales. He was now past thirteen, bred up with a hatred both of our religion and our constitution, in an admiration of the French government; and yet many who called themselves protestants seemed fond of such a successor: a degree of infatuation that might justly amaze all who observed it, and saw the fury with which it was promoted.

Another very good act passed this session, concerning the privilege of parliament. Peers had, by law or custom, a privilege for themselves and their servants during the session, and at least twenty days before and after. Of late they have reckoned forty days before and after, in which neither they nor their servants could be sued in any court, unless for treason, felony, or breach of the peace: the house of commons had also possessed themselves of the same privilege; but with this difference, that the lords pretended theirs was a right not subject to the order of the house of lords; whereas the commons held that their privilege was subject to the authority of their house. Of late years, sessions were long and continued by intermediate prorogations, so that the whole year round was a time of privilege: this made a great obstruction in the course of justice, and none who were so protected could be sued for debt. The abuse was carried further by the protections which some lords gave, or rather sold, to persons who were no way concerned in their affairs; but when they needed this shelter, they had a pretended office given them, that was a bar to all arrests. After many fruitless attempts to regulate these abuses, a bill was brought into the house of commons that took away all privilege against legal prosecutions in intermediate prorogations; and did so regulate it during the sitting of parliament, that an effectual remedy was provided for a grievance that had been long and much complained of. These were the only popular things that were done by this parliament, the rest of their proceedings showed both the madness and fury of parties.

The impeachments lay long neglected in the house of commons, and probably they would have been let sleep, if the lords concerned had not moved for a trial: on their motion, messages were sent to the commons to quicken their proceedings. At last, articles were framed and brought up, first, against the earl of Orford: he was charged for taking great grants from the king. Kid's business was objected to him. He was also charged for abuses in managing the fleet, and victualling it, when it lay on the coast of Spain, and for some orders he had given, during his command; and, in conclusion, for his advising the Partition Treaty. And, in setting this out, the commons urged that the king, by the alliance made with the emperor in the year 1689, was bound to maintain his succession to the crown of Spain, which they said was still in force: so the Partition Treaty was a breach of faith, contrary to that alliance, and this passed current in the house of commons, without any debate or enquiry into it; for everything was acceptable there that loaded that treaty and these lords: but they did not consider, that by this they declared they thought the king was bound to maintain the emperor's right to that succession; yet this was not intended by those who managed the party, who had not hitherto given any countenance to the emperor's pretensions. So apt are parties to make use of any thing that may serve a turn, without considering the consequences of it.

The earl of Orford put in his answer in four days. He said he had no grant of the king, but a reversion at a great distance, and a gift of ten thousand pounds, after he had defeated the French at La Hogue, which he thought he might lawfully accept of, as all others before him had done: he opened Kid's matter, in which he had acted legally, with good intentions to the public, and to his own loss: his accounts, while he commanded the fleet, had been all examined and were passed; but he was ready to waive that, and to justify himself in every particular, and he denied his having given any advice about the Partition Treaty: this was immediately sent down to the commons; but they let it lie before them without coming to a replication; which is only a piece of form by which they undertake to make good their charge.

Articles were next sent up against the lord Somers. In these, the two Partition Treaties were copiously set forth, and it was laid down for a foundation, that the king was bound to maintain the emperor's right of succession to the crown of Spain. Lord Somers was charged for setting the seals, first to the powers, and then to the treaties themselves: he was also charged for accepting some grants; and the manner of taking them was represented as fraudulent, he seeming to buy them of the king, and then getting himself discharged of the price contracted for. Kid's business was also mentioned, and dilatory and partial proceedings in chancery were objected to him. He put in his answer in a very few days: in the Partition Treaty, he said, he had offered the king very faithful advice as a councillor, and had acted according to the duty of his post as chancellor; so he had nothing more to answer for: as for his grants, the king designed him a grant to such a value; the king was not deceived in the value; the manner of passing it was according to the usual methods of the treasury, in order to make a grant sure, and out of the danger of being avoided. Kid's business was opened as was formerly set forth; and, as to the court of chancery, he had applied himself wholly to the dispatch of business in it, with little regard to his own health or quiet, and had acted according to the best of his judgment, without fear or favour. This was presently sent down to the house of commons, and upon that they were at a full stand: they framed no articles against the earl of Portland, which was represented to the king as an expression of their respect to him.

Some time after this, near the end of the session, they sent up articles against the lord Halifax, which I mention here that I may end this matter all at once. They charged him for a grant that he had in Ireland, and that he had not paid in the produce of it, as the act concerning those grants had enacted: they charged him for another grant, out of the forest of Dean, to the waste of the timber and prejudice of the navy of England: they charged him for holding places that were incompatible, being at the same time both a commissioner of the treasury and auditor of the exchequer: and, in conclusion, he was charged for advising the two Partition Treaties. He was as quick with his answer as the other lords had been. He said, his grant in Ireland was of some debts and sums of money, and so was not thought to be within the act concerning confiscated estates. All he had ever received of it was 400*l*. If he was bound to repay it, he was liable to an action for it; but every man was not to be impeached who did not pay his debts at the day of payment. His grant in the forest of Dean was only of the weedings; so it could be no waste of timber, nor a prejudice to the navy: the auditor's place was held by another, till he obtained the king's leave to withdraw from the treasury: as for the first Partition Treaty, he never once saw it, nor was he ever advised with in it: as for the second, he gave his advice very freely about it, at the single time in which he had ever heard any thing concerning it. This was sent down to the commons, but was never so much as once read by them. When, by these articles, and the answers to them, it appeared, that after all the noise and clamour that had been raised against the former ministry (more particularly against the lord Halifax) for the great waste of treasure during their administration, that now, upon the strictest search, all ended in such poor accusations; it turned the minds of many that had been formerly prejudiced against them. It appeared that it was the animosity of a party at best, if it was not a French practice, to ruin men who had served the king faithfully, and to discourage others from engaging themselves so far in his interests as these lords had done. They saw the effect that must follow on this; and that the king could not enter upon a new war, if they could discourage from his service all the men of lively and active tempers, that would raise a spirit in the nation for supporting such an important and dangerous war, as this now in prospect was likely to prove.

This gave a general disgust to all England, more particularly to the city of London, where foreign affairs and the interest of trade were generally better understood. The old East India company, though they hated the ministry that set up the new, and studied to support this house of commons, from whom they expected much favour; yet they, as well as the rest of the city, saw visibly that first the ruin of trade, and then, as a consequence of that, the ruin of the nation must certainly ensue, if France and Spain were once firmly united: so they began openly to condemn the proceedings of the commons, and to own a



jealousy, that the *louis-d'or* sent hither of late had not come over to England for nothing. This disposition to blame the slowness in which the house of commons proceeded with relation to foreign affairs, and the heat with which private quarrels were pursued, began to spread itself through the whole nation. Those of the county of Kent sent up a petition to the house, desiring them to mind the public more and their private heats less, and to turn their addresses to the king to bills of supplies, to enable him both to protect the nation and to defend our allies. This was brought up by some persons of quality, and was presented by them to the house: but it was looked on as a libel on their proceedings; and the gentlemen who brought it up were sent to prison, where they lay till the prorogation; but they were much visited, and treated as confessors\*. This was highly censured: it was said the commons were the creatures of the people, and upon all other occasions they used to favour and encourage petitions: this severity was condemned therefore as unnatural, and without a precedent: it was much questioned, whether they had really an authority to imprison any except their own members, or such as had violated the privilege of their house: but the party thought it was convenient, by such an unusual severity, to discourage others from following the example set them by those of Kent; for a design was laid to get addresses of the same nature from all parts of the kingdom, chiefly from the city of London. The ministers represented to the king what an indignity this would be to the house of commons; and that, if he did not discourage it, he might look for unacceptable things from them. It might rather discourage than give heart to our allies, if they should see such a disjointing, and both city and country in an opposition to the house of commons. Some went, in his name, to the eminent men of the city to divert it, yet with all this it came so near for such an address in a common council, that the lord mayor's vote turned it for the negative, so that fell. But a disposition to a war, and to a more hearty concurrence with the king, appeared to be the general sense of the nation, and this had a great effect on the house of commons: they began to talk of a war as unavoidable; and when the session drew near an end, they, by an address, desired the king to enter into such alliances with the emperor, and other states and princes, as were necessary for the support of us and our allies, and to bring down the exorbitant power of France. This was opposed with great zeal by those who were looked on as the chief conductors of the jacobite party, though many, who had in other things gone along with them, thought this was the only means that were left to recover their credit with the people; for the current ran so strong for a war, that those who struggled against it, were looked on as little better than public enemies. They had found good funds for a million and a half. It is true one of these was very unacceptable to the king: it was observed that the allotment for the civil list did far exceed the sum that was designed, which was only 600,000*l.*, and that as king James's queen would not take her jointure, so, by the duke of Gloucester's death, the charge on it was now less than when it was granted: so they took almost 4000*l.* a-week out of the excise, and, upon an assignation made of that for some years, a great sum was raised. This was very sensible to the court, and the new ministers found it no easy thing to maintain, at the same time, their interest both with the king and their party: this matter was at last yielded to by the king. All the remainder of this session relates to the impeachments.

The lords had resolved to begin with the trial of the earl of Orford, because the articles against him were the first that were brought up; and since the commons made no replication, the lords, according to clear precedents, named a day for his trial, and gave notice of it to the house of commons. Upon this, the commons moved the lords to agree to name a committee of both houses for settling the preliminaries of the trial, and they named two preliminaries: one was, that the lord who was to be tried should not sit as a peer; the other was, that those lords who were impeached for the same matter, might not vote in the trial of one another: they also acquainted the lords that the course of their evidence led them to begin with the lord Somers. The lords judged their last demand reasonable, and

\* The imprisoned "Kentish Petitioners" were Justinian Champneys, of Westhanger; sir Thomas Culpepper, knight, of Preston Hall, Aylesford; William Culpepper, esq., of Hollingborne; James Hamilton, esq., of Chilston;

and David Polhill, esq., of Cheapstead; all in the county of Kent.—See Hist. of the Kentish Petition, published in 1701; Noble's Continuation of Grainger.

agreed to it, but disagreed to the others. They considered themselves as a court of justice, and how great soever the regard due to the house of commons might be in all other respects, yet in matters of justice, where they were the accusers, they could only be considered as parties. The king, when he had a suit with a subject, submitted to the equality of justice; so the commons ought to pretend to no advantage over a single person in a trial: a court of justice ought to hear the demands of both parties pleaded fairly, and then to judge impartially: a committee named by one of the parties, to sit in an equality with the judges, and to settle matters relating to the trial, was a thing practised in no court or nation, and seemed contrary to the principles of law, or rules of justice: by these means they could at least delay trials as long as they pleased, and all delays of justice are real and great injustices. This had never been demanded but once, in the case of the popish plot; then it was often refused: it is true it was at last yielded to by the lords, though with great opposition; that was a case of treason, in which the king's life and the safety of the nation were concerned; there was then a great jealousy of the court, and of the lords that belonged to it; and the nation was in so great a ferment, that the lords might at that time yield to such a motion, though it derogated from their judicature: that ought not to be set up for a precedent for a quiet time, and in a case pretended to be no more than a misdemeanor: so the lords resolved not to admit of this, but to hear whatsoever should be proposed by the commons, and to give them all just and reasonable satisfaction in it. The chief point in question, in the year 1679, was, how far the bishops might sit and vote in trials of treason; but without all dispute, they were to vote in trials for misdemeanors. It was also settled in the case of the lord Mordaunt, that a lord tried for a misdemeanor was to sit within the bar. In all other courts men tried for such offences came within the bar. This was stronger in the case of a peer, who, by his patent, had a seat in that house, from which nothing but a judgment of the house for some offence could remove him: they indeed found that, in king James the First's time, the earl of Middlesex, being accused of misdemeanors, was brought to the bar; but as that prosecution was violent, so there had been no later precedent of that kind to govern proceedings by it: there had been many since that time, and it had been settled, as a rule for future times, that peers tried for such offences were to sit within the bar. The other preliminary was, that peers, accused for the same offence, might not vote in the trials of the others: the lords found that a right of voting was so inherent in every peer in all causes, except where himself was a party, that it could not be taken from him but by a sentence of the house; a vote of the house could not deprive him of it: otherwise, a majority might upon any pretence deny some peers their right of voting, and the commons, by impeaching many peers at once for the same offence, might exclude as many lords as they pleased from judging: it was also observed that a man might be a judge in any cause in which he might be a witness: and it was a common practice to bring persons charged with the same offence, if they were not in the same indictment, to witness the facts with which they themselves were charged in another indictment; and a parity of reason appeared in the case of lords, who were charged in different impeachments, for the same facts, that they might be judges in one another's trials. Upon these points many messages passed between the two houses with so much precipitation, that it was not easy to distinguish between the answers and the replies: the commons still kept off the trial by affected delays. It was visible, that when a trial should come on, they had nothing to charge these lords with: so the leaders of the party showed their skill in finding out excuses to keep up the clamour, and to hinder the matters from being brought to an issue: the main point that was still insisted on was a committee of both houses; so, according to the forms of the house, it was brought to a free conference.

In it the lord Haversham, speaking to the point of lords being partial in their own cases, and therefore not proper judges, said that the house of commons had plainly showed their partiality in impeaching some lords for facts in which others were equally concerned with them, who yet were not impeached by them, though they were still in credit and about the king; which showed that they thought neither the one nor the other were guilty\*. The

\* Sir John Thompson, bart. was created baron of house of commons by his daring speeches. He voted for Haversham in 1696. He distinguished himself in the the exclusion bill, and in favour of the revolution. In

commons thought that they had now found an occasion of quarrelling with the lords, which they were looking for: so they immediately withdrew from the conference, though they were told that the lord Haversham spoke only his own private sense, and not by any direction from the house. The house of commons sent up a complaint to the lords of this reflection on their proceedings, as an indignity done them, for which they expected reparation: upon this the lord Haversham offered himself to a trial, and submitted to any censure that the lords should think he had deserved; but insisted that the words must first be proved, and he must be allowed to put his own sense on them: the lords sent this to the commons, but they seemed to think that the lords ought to have proceeded to censure him in a summary way, which the lords thought, being a court of judicature, they could not do till the words were proved, and the importance of them discussed.

The house of commons had now got a pretence to justify their not going further in these trials, and they resolved to insist upon it: they said they could expect no justice, and therefore they could not go on with the prosecutions of their impeachments: and a day being set for the lord Somers's trial, they excepting still, it was put off for some time; at last a peremptory day was fixed for it; but the commons refused to appear, and said they were the only judges, when they were ready with their evidence, and that it was a mockery to go to a trial when they were not ready to appear at it. There were great and long debates upon this in the house of lords: the new ministry and all the jacobites joined to support the pretensions of the commons: every step was to be made by a vote, against which many lords protested; and the reasons given, in some of their protestations, were thought to be so injurious to the house, that they were by a vote ordered to be expunged; a thing that seldom happens. When the day set for the trial came, the other lords, who were also impeached, asked the leave of the house to withdraw, and not to sit and vote in it: this was granted them, though it was much opposed and protested against by the tory party, because the giving such leave supposed that they had a right to vote. The lords went down in form to Westminster Hall, where the articles against the lord Somers were first read; lord Somers's answers were next read; and none appearing to make good the charge, the lords came back to their house, where they had a long and warm debate of many hours, concerning the question that was to be put; the judges told them that, according to the forms of law, it ought to be guilty, or not guilty: but those of the party said, as it was certain that none could vote him guilty, so, since the house of commons had not come to make good the charge, they could not vote him not guilty: so, to give them some content, the question agreed on to be put was, whether he ought to be acquitted of the impeachment, or not? That being settled, the lords went again to the Hall, and, the question being put, fifty-six voted in the affirmative, and thirty-one in the negative. Upon this, the house of commons passed some high votes against the lords, as having denied them justice, and having obstructed the public proceedings; and called the trial a pretended trial. The lords went as high in their votes against the commons; and each house ordered a narrative of the proceedings to be published for satisfying the nation. A few days after this the earl of Orford's trial came on, but, all the lords of the other side withdrawing, there was no dispute; so he was acquitted by an unanimous vote. The lords did also acquit both the earl of Portland and the lord Halifax; and because the commons had never insisted on their prosecution of the duke of Leeds, which they had begun some years before, they likewise acquitted him, and so this contentious session came to an end. The two houses had gone so far in their votes against one another, that it was believed they would never meet again: the proceedings of the lords had the general approbation of the nation on their side: most of the bishops adhered to the impeached lords, and their behaviour on this occasion was much commended. I bore some share in those debates, perhaps more than became me, considering my station, and other circumstances: but as I was convinced of the innocence of the lords,

the house of lords he was the undaunted declarer of his opinions. One instance is mentioned above; and when opposing the union with Scotland, he compared it to "the toes of Nebuchadnezzar's idol, which were made of iron and clay: they may cleave together, but they can never

incorporate." He was an acknowledged republican in politics, and, though a discenter in religion, often acted with the tories and high church party. He died in 1710, and was buried in the church of Richmond, Surrey.—Noble's Continuation of Grainger; Extinct Peerage, &c.



so I thought the government itself was struck at; and therefore, when I apprehended all was in danger, I was willing to venture every thing in such a quarrel. The violence, as well as the folly, of the party, lost them much ground with all indifferent men; but with none more than with the king himself, who found his error in changing his ministry at so critical a time; and he now saw that the tories were at heart irreconcilable to him; in particular, he was extremely uneasy with the earl of Rochester, of whose imperious and intractable temper he complained much, and seemed resolved to disengage himself quickly from him, and never to return to him any more. He thought the party was neither solid nor sincere, and that they were actuated by passion and revenge, without any views with relation to our quiet at home, or to our affairs abroad.

But having now given an account of the session of parliament, I turn to another scene. When the new ministry undertook to serve the king, one of their demands was, that a convocation should have leave to sit, which was promised; and it sat this winter. Dr. Atterbury's book, concerning the rights of a convocation, was reprinted, with great corrections and additions. The first edition was drawn out of some imperfect and disorderly collections, and he himself soon saw that, notwithstanding the assurance and the virulence with which it was written, he had made many great mistakes in it: so, to prevent a discovery from other hands, he corrected his book in many important matters: yet he left a great deal of matter to those who answered him, and did it with such a superiority of argument and of knowledge in these matters, that his insolence in despising these answers was as extraordinary, as the parties adhering to him after such manifest discoveries. Dr. Kennet laid him so open, not only in many particulars, but in a thread of ignorance that ran through his whole book, that if he had not had a measure of confidence peculiar to himself, he must have been much humbled under it\*. The clergy hoped to recover many lost privileges by the help of his performances: they fancied they had a right to be a part of the parliament: so they looked on him as their champion, and on most of the bishops as the betrayers of the rights of the church: this was encouraged by the new ministry: they were displeased with the bishops for adhering to the old ministry; and they hoped, by the terror of a convocation, to have forced them to apply to them for shelter. The jacobites intended to put us all in such a flame as they hoped would disorder the government. The things the convocation pretended to were, first, that they had a right to sit whensoever the parliament sat; so that they could not be prorogued but when the two houses were prorogued: next, they advanced that they had no need of a licence to enter upon debates, and to prepare matters, though it was confessed that the practice for a hundred years was against them: but they thought the convocation lay under no farther restraint than that the parliament was under; and as they could pass no act without the royal assent, so they confessed that they could not enact or publish a canon without the king's licence. Anciently the clergy granted their own subsidies apart, but ever since the reformation the grant of the convocation was not thought good till it was ratified in parliament: but the rule of subsidies being so high on the clergy, they had submitted to be taxed by the house of commons ever since the year 1665; though no memorials were left to inform us how that matter was consented to so generally, that no opposition of any sort was made to it. The giving of money being yielded up, which was the chief business of convocations, they had after that nothing to do; so they sat only for form's sake, and were adjourned of course; nor did they ever pretend, notwithstanding all the danger that religion was in during the former reigns, to sit and act as a synod; but now this was demanded as a right, and they complained of their being so often prorogued as a violation of their constitution, for which all the bishops, but more particularly the archbishop of Canterbury, was cried out on: they said, that he and the bishops looked so much to their own interests, that they forgot the interests of the church, or rather betrayed them. The greater part of the clergy were in no good temper; they hated the toleration, and were heavily charged with the taxes, which made them very uneasy; and this disposed them to be soon inflamed by those who were seeking out all possible methods to disorder our affairs. They hoped to have engaged them against the supremacy, and reckoned that in the feeble state to which the government was

\* See the names of Kennet's works, and other authorities relating to this controversy, in Kippis's edition of the *Biog. Britannica*.

now brought, they might hope either to wrest it quite from the crown, and then it would fall into the management of the house of commons: or, if the king should proceed against them according to the statute, and sue them in a premunire, this might unite the clergy into such an opposition to the government as would probably throw us into great convulsions: but many aspiring men among them had no other design but to force themselves into preferment by the opposition they made. In the writ that the bishops had, summoning them to parliament, the clause, known by the first word of it, "*Premunientea*," was still continued: at first, by virtue of it, the inferior clergy were required to come to parliament, and to consent to the aids there given: but after the archbishops had the provincial writ for a convocation of the province, the other was no more executed, though it was still kept in the writ, and there did not appear the least shadow of any use that had been made of it for some hundreds of years; yet now some bishops were prevailed on to execute this clause, and to summon the clergy by virtue of it. The convocation was opened with speeches full of sharp reflections on the bishops, which they passed over, being unwilling to begin a dispute.

Dr. Hooper, dean of Canterbury, was chosen prolocutor, a man of learning and good conduct hitherto; he was reserved, crafty, and ambitious; his deanery had not softened him, for he thought he deserved to be raised higher\*. The constant method of adjournments had been this; the archbishop signed a schedule for that purpose, by which the upper house was immediately adjourned, and that being sent down to the prolocutor, did also adjourn the lower house. The clergy perceiving that, by this means, the archbishop could adjourn them at pleasure, and either hinder or break off all debates, resolved to begin at disputing this point: and they brought a paper to the upper house, in which they asserted their right of adjourning themselves, and cited some precedents for it. To this the bishops drew a very copious answer, in which all their precedents were examined and answered, and the matter was so clearly stated and so fully proved, that we hoped we had put an end to the dispute. The lower house sat for some time about the reply to this; but, instead of going on with that, they desired a free conference, and began to affect, in all their proceedings, to follow the methods of the house of commons. The bishops resolved not to comply with this, which was wholly new. They had upon some occasions called up the lower house to a conference, in order to the explaining some things to them; but the clergy had never taken upon them to desire a conference with the bishops before: so they resolved not to admit of it, and told them they expected an answer to the paper they had sent them. The lower house resolved not to comply with this, but, on the contrary, to take no more notice of the archbishop's adjournments. They did indeed observe the rule of adjourning themselves to the day which the archbishop had appointed in his schedule, but they did it as their own act, and they adjourned themselves to intermediate days.

That they might express a zeal in the matters of religion, they resolved to proceed against some bad books. They began with one, entitled "*Christianity not mysterious*," written by one Toland, a man of a bold and petulant wit, who passed for a socinian, but was believed

\* This is one of the most erroneous, party-biased, characters Burnet has given. So far was he from being ambitious, that no persuasions could induce him to accept either of the metropolitan mitres; instead of being reserved, he was good-humoured, affable, witty, yet never offending against the rules of good manners, much less against those of piety. He was the patriarch of the diocese of Bath and Wells, to which queen Anne promoted him in 1704. To his clergy he showed all the kindness of a father; and many instances were known where he had raised the deserving, but indigent, pastor to competency and independence. Such conduct gained him the esteem of the good; and his talents obtained him another large class of friends—the learned. He was "the lawyer, the casuist, the divine, the antiquary, the linguist, the philosopher, the classical scholar; yet always the refined and accomplished gentleman." Such is the concurrent testimony given in favour of Dr. George Hooper by most

of his contemporaries. He was born at Grimley, in Worcestershire, during the year 1640, and educated at Westminster, and Christchurch, Oxford. At the first-named school, Dr. Busby, its master, discerned his opening excellence, observing of him, "This boy is the least favoured in features of any in the school, but he will be the most extraordinary of any of them." He at various times held the livings of Lambeth, and East Woodhay, Hampshire; was chaplain to bishop Morley, archbishop Sheldon, and princess Mary, whom he accompanied to Holland. At the revolution, he held the same office to her and king William, who, in 1691, gave him the deanery of Canterbury. In 1703 he was raised to the see of St. Asaph, and the following year translated as before mentioned. He died in 1727.—*General Biog. Dict.*; Wood's *Athenæ Oxon.*; Noble's *Continuation of Grainger*.

to be a man of no religion\*. They drew some propositions out of this book, but did it with so little judgment, that they passed over the worst that were in it, and singled out some, that how ill soever they were meant, yet were capable of a good sense. They brought up the censure that they had passed on this book to the bishops, and desired them to agree to their resolutions. This struck so directly at the episcopal authority, that it seemed strange to see men who had so long asserted the divine right of episcopacy, and that presbyters were only their assistants and council (according to the language of all antiquity), now assume to themselves the most important act of church government, the judging in points of doctrine. In this it appeared how soon men's interests and passions can run them from one extreme to another. The bishops saw, that their design in this was only to gain some credit to themselves, by this show of zeal for the great articles of religion; so they took advice of men learned in the law, how far the act of submission in the Twenty-fifth of Henry the Eighth did restrain them in this case. There had been the like complaint made in the convocation, 1698, of many ill books then published: and the bishops had then advised both with civilians and common lawyers in this matter. They were answered, that every bishop might proceed in his own court against the authors, or spreaders, of ill books, within his diocese; but they did not know of any power the convocation had to do it: it did not so much as appear that they could summon any to come before them: and when a book was published with the author's name to it, the condemning it, without hearing the author upon it, seemed contrary to the common rules of justice. It did not seem to be a court at all, and since no appeal lay from it, it certainly could not be a court in the first instance. When this question was now again put to lawyers, some were afraid, and others were unwilling, to answer it; but sir Edward Northey, afterwards made attorney-general, thought the condemning books was a thing of great consequence; since the doctrine of the church might be altered, by condemning explanations of one sort, and allowing those of another; and since the convocation had no licence from the king, he thought that, by meddling in that matter, they should incur the pains in the statute; so all further debate of this matter was let fall by the bishops. The lower house going on to sit in intermediate days, many of the most eminent and learned among them not only refused to sit with them on those days, but thought it was incumbent on them to protest against their proceedings; but the lower house refusing to suffer this to be entered upon their books, they signified it in a petition to the archbishop. The party sitting alone in those intermediate days, they entered into such a secrecy, that it could not be known what they sat so close upon. So the archbishop appointed five bishops, together with ten they should name, as a committee to examine their books; but though this had been often done, yet, upon this occasion, the lower house refused to comply with it, or to name a committee. This was such an unprecedented invasion of the episcopal authority, that the upper house resolved to receive nothing from them till that irregularity was set right.

Hereupon they, being highly incensed against me, censured my Exposition of the Articles, which, in imitation of the general impeachments by the house of commons, they put in three general propositions:—First, that it allowed a diversity of opinions, which the articles were framed to avoid; secondly, that it contained many passages contrary to the true meaning of the articles, and to other received doctrines of our church; thirdly, that some things in it were of dangerous consequence to the church, and derogated from the honour of the reformation. What the particulars were, to which these general heads referred, could never be learned: this was a secret lodged in confiding hands. I begged that the archbishop would dispense with the order, made against further communication with the lower house, as to this matter: but they would enter into no particulars, unless they might at the same time offer some other matters, which the bishops would not admit of.

In these proceedings the bishops were unanimous, except the bishops of London, Rochester, and Exeter (Dr. Trelawney). The bishop of London had been twice disappointed of his hopes of being advanced to the see of Canterbury; so for several years he was engaged with

\* Whoever wishes for more information relative to John Toland, the apostate, the deist, and the government spy, may find it in the "Life" prefixed to his posthumous works. He was a native of Ireland, born in 1689, and died in 1722.



the tory party, and opposed the court in every thing, but with little force or authority\*. The bishop of Rochester (Dr. Sprat) had been deeply engaged in the former reigns, and he stuck firm to the party, to which, by reason of the liberties of his life, he brought no sort of honour. These bishops gave no great reputation to the proceedings of the lower house, to which they adhered: they likewise entered their dissent to the resolutions taken in the upper house. From the fire raised thus in convocation a great heat was spread through the whole clergy of the kingdom: it alienated them from their bishops, and raised factions among them everywhere.

Thus ended the session of parliament and convocation, which had the worst aspect of any that had sat during this reign. The new ministers pressed the king often to dissolve the commission that recommended to ecclesiastical preferments, and to turn out some of the whigs who were in employments, the lord Haversham in particular, who was in the admiralty. But the king could not be prevailed on to do any thing; yet he kept himself so much on the reserve, that when he went out of England it was not certainly known whether he intended to dissolve the parliament or not. When the king came to the Hague, he found the negotiation with France quite at an end; the king of France had recalled his minister, the States had increased their force, and the French were very strong in their neighbourhood: so that though no war was actually declared, yet it was very near breaking out.

The emperor's army was now got into Italy. The entrance towards Verona was stopped by the French, but prince Eugene came in by Vincenza; and when the reinforcements and artillery came up to him, he made a feint of passing the Po, near Ferrara: and having thus amused the French, he passed the Adige, near Carpi, where a body of five thousand French lay: these he routed, so the French retired to the Mincio. He followed them, and passed that river in their sight, without any opposition. The French army was commanded by the duke of Savoy; with him were the mareschal Catinat, and the prince of Vaudemont, governor of Milan. These differed in opinion: the duke of Savoy was for fighting, Catinat and prince Vaudemont were against it: so the mareschal Villeroy was sent thither with orders to fight. Catinat, who was the best general the French had left, looking on this as a disgrace, retired and languished for some time; yet he recovered. There were many small engagements of parties sent out on both sides, in which the Germans had always the better; yet this did not discourage Villeroy from venturing to attack them in their camp at Chiari; but they were so well entrenched, and defended themselves with so much resolution, that the French were forced to draw off with great loss: about five thousand of them were killed, whereas the loss of the Germans was inconsiderable. Sickness likewise broke in upon the French, so that their army was much diminished; and after this, they were not in a condition to undertake any thing. Prince Eugene lay for some time in his camp at Chiari, sending out parties as far as the Adda, who, meeting often with parties of the French, had always the advantage, killing some and taking many prisoners. For several months prince Eugene had no place of defence to retire to; his camp was all: so that a blow given him there must have ruined his whole army. Towards the end of the campaign he possessed himself of all the Mantuan territory, except Mantua and Goito; he blocked them both up; and when the season obliged the French to go into quarters, he took all the places on the Oglio, and continued in motion the whole following winter. The French had no other enemy to deal with, so they poured in their whole force upon him. He was then but a young man, and had little assistance from those about him, and none at all during the summer from the princes and states of Italy: for the pope and the Venetians pretended to maintain a neutrality, though upon many occasions the pope showed great partiality to the French. The people indeed favoured him, so that he had good and seasonable intelligence brought him of all the motions of the French: and in his whole conduct he showed both a depth of contrivance and an exactness in execution, with all the courage, but without any of the rashness, of youth.

\* Dr. Compton was a generous man, and if he had been told the unworthy suspicion cast upon him by Burnet, he probably would have said, as he once did on a similar occasion, "I am glad of it; for he has given me an opportunity of setting you a good example in forgiving him."

But to carry on the series of his motions as far as this period of my history goes, his attempt in January following upon Cremona had almost proved a decisive one. Mareschal Villeroy lay there with six or seven thousand men, and commanded a bridge on the Po: prince Eugene had passed that river with a part of his army: the princess of Mirandola drove out the French, and received a garrison from him. The duke of Modena put his country in his hand, and gave him Bersello, the strongest place of his dominions. The duke of Parma pretended he was the pope's vassal, and so put himself under the protection of that sec. Prince Eugene would not provoke the pope too much, so he only marched through the Parmesan: here he laid the design of surprising Cremona with so much secrecy, that the French had not the least suspicion of it. Prince Eugene went to put himself at the head of a body that he brought from the Oglio, and ordered another to come from the Parmesan at the same time, to force the bridge. He marched with all secrecy to Cremona; at the same time, through the ruins of an old aqueduct, he sent in some men, who got through and forced one of the gates, so that he was within the town before mareschal Villeroy had any apprehension of an enemy being near him. He wakened on the sudden with the noise, got out to the street, and there he was taken prisoner. But the other body did not come up critically at the time appointed, so an Irish regiment secured the bridge. And thus the design, that was so well contrived and so happily executed in one part, did fail. Prince Eugene had but four thousand men with him, so that, since the other body could not join him, he was forced to march back, which he did without any considerable loss, carrying mareschal Villeroy and some other prisoners with him. In this attempt, though he had not an entire success, yet he gained all the glory to which the ambition of a military man could aspire; so that he was looked on as the greatest and happiest general of the age. He went on enlarging his quarters, securing all his posts, and straitening the blockade of Mantua, and was in perpetual motion during the whole winter. The French were struck with this ill success; more troops were sent into Italy, and the duke of Vendome went to command the armies there.

The duke of Savoy was pressed to send his forces thither; but he grew cold and backward. He had now gained all that he could promise himself from France: his second daughter was married to king Philip and was sent to him to Barcelona, and he came and met her there: Philip fell into an ill habit of body, and had some returns of a feverish distemper: he had also great disputes with the states of Catalonia, who, before they would grant him the tax that was asked of them, proposed that all their privileges should be confirmed to them. This took up some time, and occasioned many disputes. All was settled at last; but their grant was short of what was expected, and did not defray the charges of the king's stay in the place. A great disposition to revolt appeared in the kingdom of Naples, and it broke out in some feeble attempts that were soon mastered. The leaders of these were taken and executed. They justified themselves by this apology, that till the pope granted the investiture they could not be bound to obey the new king. The duke of Medina was a severe governor, both on his master's account and on his own. Some of the Austrian party made their escape to Rome and to Vienna. They represented to the emperor that the disposition of the country was such in his favour, that a small force of ten thousand men would certainly put that kingdom wholly into his hands. Orders were upon that sent to prince Eugene to send a detachment into the kingdom of Naples. But though he believed a small force would soon reduce that kingdom, yet he judged that such a diminution of his own strength, when the French were sending so many troops into the Milanese, would so expose him, that it would not be possible to maintain a defensive with such an unequal force. Yet repeated orders came to him to the same effect; but, in opposition to those, he made such representations, that at last it was left to himself to do what he found safest, and most for the emperor's service; with that the matter was let fall, and it soon appeared that he had judged better than the court of Vienna: but this was, by his enemies, imputed to humour and obstinacy; so that, for some time after that, he was neither considered nor supported as his great services had deserved. This might flow from envy and malice, which are the ordinary growth of all courts, chiefly of feeble ones; or it might be a practice of the French, who had corrupted most courts, and that of Vienna in particular;

since nothing could more advance their ends than to alienate the emperor from prince Eugene; which might so far disgust him, as to make him more remiss in his service.

Our fleets lay all this summer idle in our seas on a bare defensive, while the French had many squadrons in the Spanish ports and in the West Indies. In the North, the war went on still: the king of Sweden passed the Duna, and fell on an army of the Saxons that lay on the other side, over against Riga, and routed them so entirely, that he was master of their camp and artillery. From thence he marched into Courland, where no resistance was made. Mitau, the chief town, submitted to him. The king of Poland drew his army into Lithuania, which was much divided between the Sapichas and Oginskis: so that all those parts were breaking into much confusion. The court of Vienna pretended that they had made a great discovery of a conspiracy in Hungary. It is certain the Germans played the masters very severely in that kingdom, so that all places were full of complaints, and the emperor was so besieged by the authors of those oppressions, and the proceedings were so summary upon very slight grounds, that it was not to be wondered if the Hungarians were disposed to shake off the yoke, when a proper opportunity should offer itself. And it is not to be doubted but the French had agents among them, by the way of Poland as well as of Turkey, that so the emperor might have work enough at home.

This was the state of the affairs of Europe this summer. Several negotiations were secretly carried on: the elector of Cologne was entirely gained to the French interest, but was resolved not to declare himself till his brother thought fit likewise to do it. All the progress that the French made with the two brothers this summer was, that they declared for a neutrality, and against a war with France. The dukes of Wolfenbuttel and Saxe Gotha were also engaged in the same design: they made great levies of troops beyond what they themselves could pay, for which it was visible that they were supplied from France. Here was a formidable appearance of great distractions in the empire. An alliance was also projected with the king of Portugal. His ministers were in the French interests, but he himself inclined to the Austrian family. He for some time affected retirement, and avoided the giving audience to foreign ministers. He saw no good prospect from England; so, being pressed to an alliance with France, his ministers got leave from him to propose one on terms of such advantage to him, that as it was not expected they could be granted, so it was hoped this would run into a long negotiation. But the French were as liberal in making large promises, as they were perfidious in not observing them: so the king of France agreed to all that was proposed, and signed a treaty pursuant to it, and published it to the world. Yet the king of Portugal denied that he had consented to any such project; and he was so hardly brought to sign the treaty, that, when it was brought to him, he threw it down and kicked it about the room, as our envoy wrote over. In conclusion, however, he was prevailed on to sign it; but it was generally thought that when he should see a good fleet come from the allies, he would observe this treaty with the French as they have done their treaties with all the rest of the world. Spain grew uneasy and discontented under a French management. The grandees were little considered, and they saw great designs for the better conduct of the revenues of the crown likely to take place every where, which were very unacceptable to them, who minded nothing so much as to keep up a vast magnificence at the king's cost. They saw themselves much despised by their new masters, as there was indeed great cause for it; they had too much pride to bear this well, and too little courage to think how they should shake it off.

But now to return to our affairs at home: The duke of Queensbury was sent down to hold a parliament in Scotland, where people were in so bad a humour, that much practice was necessary to bring them into any temper. They passed many angry votes upon the business of Darien, but in conclusion the session ended well. The army was reduced one half, and the troops that were ordered to be broken were sent to the States, who were now increasing their force. This session was chiefly managed by the duke of Queensbury and the earl of Argyle; and, in reward for it, the one had the garter, and the other was made a duke.

In Ireland, the trustees went on to hear the claims of the Irish, and in many cases they gave judgment in their favour. But now it began to appear, that whereas it had been given out that the sale of the confiscated estates would amount to a million and a half, it was not



likely to rise to the third part of that sum. In the meanwhile, the trustees lived in great state there, and were masters of all the affairs of that kingdom. But no propositions were yet made for the purchasing of those estates. During the king's absence, the nation was in a great ferment, which was increased by many books that were written to expose the late management in the house of commons and the new ministry, the earl of Rochester in particular, who was thought the driver of all violent motions. The few books that were published on the other side were so poorly written, that it tempted one to think they were written by men who personated the being on their side, on design to expose them. The earl of Rochester delayed his going to Ireland very long. He perceived that the king's heart was not with him, and was very uneasy at that; as on the other hand the king complained much of his intractable temper and imperious manner, and, by his intercourse with him, the king came to see that he was not the man he had taken him for; that he had no great nor clear notions of affairs abroad; and that, instead of moderating the violence of his party, he inflamed them: so that he often said, that the year in which he directed the councils was one of the uneasiest of his whole life. The earl of Rochester finding the king's coldness towards him, expostulated with him upon it, and said he could serve him no longer, since he saw he did not trust him. The king heard this with his usual phlegm, and concluded upon it that he should see him no more; but Harley made him a little more submissive and towardsly. After the king was gone beyond sea, he also went into Ireland; there he used much art in obliging people of all sorts, dissenters as well as papists; yet such confidence was put in him by the high church party, that they bore every thing at his hands. It was not easy to behave himself towards the trustees, so as not to give a general distaste to the nation, for they were much hated, and openly charged with partiality, injustice, and corruption. That which gave the greatest disgust in his administration there, was his usage of the reduced officers, who were upon half pay, a fund being settled for that by act of parliament. They were ordered to live in Ireland, and to be ready for service there. The earl of Rochester called them before him, and required them to express under their hands their readiness to go and serve in the West Indies. They did not comply with this; so he set them a day for their final answer, and threatened that they should have no more appointments if they stood out beyond that time. This was represented to the king, as a great hardship put on them, and as done on design to leave Ireland destitute of the service that might be done by so many gallant officers, who were all known to be well affected to the present government. So the king ordered a stop to be put to it.

I am now come to the last period of the life of the unfortunate king James: he had led for above ten years a very inactive life in France; after he had in so poor a manner as was told, abandoned first England, and then Ireland, he had entered into two designs, for recovering the crowns, which he may be said, more truly, to have thrown away than lost: the one was broken by the defeat of the French fleet at sea before Cherbourg, in the year 1692; the other seemed to be laid with more depth, as well as with more infamy, when an army was brought to Dunkirk, and the design of the assassination was thought sure, upon which it was reasonably hoped that we must have fallen into such convulsions, that we should have been an easy prey to an army ready to invade us. The reproach that so black a contrivance cast upon him, brought him under so much contempt, that even the absolute authority of the French court could hardly prevail so far as to have common respect paid him after that. He himself seemed to be the least concerned at all his misfortunes; and though his queen could never give over meddling, yet he was the most easy, when he was least troubled with those airy schemes, upon which she was still employing her thoughts. He went sometimes to the monastery of La Trappe, where the poor monks were much edified with his humble and pious deportment. Hunting was his chief diversion, and for the most part he led a harmless, innocent life; being still very zealous about his religion. In the opening of this year, he had been so near death, that it was generally thought the decline of it would carry him off. He went to Bourbon, but had no benefit by the waters there; in the beginning of September, he fell into such fits, that it was concluded he could not live many days: the king of France came to see him, and seemed to be much touched with the sight: he, with some difficulty,

recommended his queen and son to his care and protection: the French king answered, he would reckon their concerns as his own; and when he left him, he promised those of his court that he would, upon king James's death, own the prince of Wales as king of England, and that he would take care of them all. King James died on the 6th day of September. He was a prince that seemed made for greater things than will be found in the course of his life, more particularly of his reign: he was esteemed, in the former parts of his life, a man of great courage, as he was quite through it a man of great application to business: he had no vivacity of thought, invention, or expression; but he had a good judgment, where his religion, or his education, gave him not a bias, which it did very often: he was bred with strange notions of the obedience due to princes, and came to take up as strange ones, of the submission due to priests; he was naturally a man of truth, fidelity, and justice; but his religion was so infused in him, and he was so managed in it by his priests, that the principles which nature had laid in him, had little power over him when the concerns of his church stood in the way: he was a gentle master, and was very easy to all who came near him; yet he was not so apt to pardon as one ought to be, that is the vicegerent of that God who is slow to anger, and ready to forgive. He had no personal vices but of one sort: he was still wandering from one amour to another, yet he had a real sense of sin, and was ashamed of it: but priests know how to engage princes more entirely into their interests, by making them compound for their sins by a great zeal for holy church, as they call it. In a word, if it had not been for his popery, he would have been, if not a great, yet a good, prince. By what I once knew of him, and by what I saw him afterwards carried to, I grew more confirmed in the very bad opinion which I was always apt to have, of the intrigues of the popish clergy, and of the confessors of kings: he was undone by them, and was their martyr, so that they ought to bear the chief load of all the errors of his inglorious reign, and of its fatal catastrophe. He had the funeral which he himself had desired, private, and without any sort of ceremony: as he was dying, he said nothing concerning the legitimacy of his son, on which some made severe remarks: others thought that, having spoken so often of it before, he might not reflect on the fitness of saying any thing concerning it in his last extremity. He recommended to him firmness in his religion, and justice in his government, if ever he should come to reign. He said, that by his practice he recommended Christian forgiveness to him, for he heartily forgave both the prince of Orange and the emperor. It was believed, that the naming the emperor was suggested to him by the French, to render the emperor odious to all those of that religion\*.

Upon his death, it was debated in the French council what was fit to be done with relation to his pretended son: the ministry advised the king to be passive, to let him assume what title he pleased, but that, for some time at least, the king should not declare himself: this might be some restraint on the king of England, whereas a present declaration must precipitate a rupture; but the dauphin interposed with some heat, for the present owning him king; he thought the king was bound in honour to do it: he was of his blood, and was driven away on the account of his religion; so orders were given to proclaim him at St. Germain. The earl of Manchester, then the king's ambassador at Paris, told me, that his own court was going about it; but a difficulty, proposed by the earl of Middleton, put a stop to it: he apprehended that it would look very strange, and might provoke the court of France, if among his titles he should be called king of France; and it might disgust their party in England, if it was omitted: so that piece of ceremony was not performed; soon after this, the king of Spain owned him, so did the pope and the duke of Savoy; and the king of France pressed all other princes to do it, in whose courts he had ministers, and prevailed on the pope to press the emperor, and other popish princes, to own him, though without effect. The king looked upon this as an open violation of the treaty of Ryswick, and he ordered the earl of Manchester to leave that court without asking an audience. The French pretended, that the bare owning of his title, since they gave him no assistance to

\* It is unnecessary to say more concerning this misguided monarch. Those who would study his history, as viewed by variously biassed partisans, must refer to the works of Hume, Macaulay, Fox, D'Orleans, "Life of James the Second, from the Stuart Papers," &c.

make good his claim, was not a breach of the treaty ; but this could not pass on the world, since the owning his right was a plain declaration that they would assist him in claiming it, whensoever the state of their affairs should allow of it.

This gave a universal distaste to the whole English nation ; all people seemed possessed with a high indignation upon it to see a foreign power that was at peace with us, pretend to declare who ought to be our king ; even those who were perhaps secretly well pleased with it, were yet, as it were forced, for their own safety, to comply with the general sense of the rest in this matter : the city of London began, and all the nation followed, in a set of addresses, wherein they expressed their abhorrence of what the French king had done, in taking upon him to declare who should be their king, and renewed their vow of fidelity to the king, and to his successors, according to the act of settlement. A great diversity of style appeared in these addresses, some avoided to name the French king, the prince of Wales, or the act of settlement, and only reflected on the transaction in France, in general and soft words ; but others carried the matter farther, encouraging the king to go on in his alliances, promising him all faithful assistance in supporting them, and assuring him that, when he should think fit to call a new parliament, they would choose such members as should concur in enabling him to maintain his alliances ; this raised the divisions of the nation higher. All this summer the king continued at Loo, in a very ill state of health ; new methods gave some relief ; but when he came to the Hague, on his way to England, he was for some time in so bad a condition, that they were in great fear of his life ; he recovered, and came over in the beginning of November.

The first thing that fell under debate upon his return was, whether the parliament should be continued, or dissolved, and a new one called ; some of the leading men of the former parliament had been secretly asked, how they thought they would proceed, if they should meet again : of these, while some answered doubtfully, others said positively, they would begin where they had left off, and would insist on their impeachments. The new ministry struggled hard against a dissolution, and when they saw the king resolved on it, some of them left his service. This convinced the nation that the king was not in a double game, which had been confidently given out before, and was too easily believed by many : the heats in elections increased with every new summons. This was thought so critical a conjuncture, that both sides exerted their full strength. Most of the great counties, and the chief cities, chose men that were zealous for the king and government, but the rotten part of our constitution, the small boroughs, were in many places wrought on to choose bad men ; upon the whole, however, it appeared, that a clear majority was in the king's interests, yet the activity of the angry side was such, that they had a majority in choosing the speaker, and in determining controverted elections ; but in matters of public concern, things went on as the king desired, and as the interest of the nation required.

The king opened the parliament with the best speech that he, or perhaps any other prince ever made to his people ; he laid the state of our affairs both at home and abroad before them in a most pathetic manner ; he pressed it upon them to consider the dangers they were in, and not to increase these by new divisions among themselves : he expressed a readiness to forgive all offences against himself, and wished they would as readily forgive one another ; so that no other division might remain but that of English and French, protestant and papist ; he had entered into some alliances, pursuant to the addresses of the last parliament, and was negotiating some others, all which should be laid before them : and this was accordingly done. Both houses began with addresses, in which they did very fully renounce the prince of Wales. The house of lords ordered that all such as were willing to do it should sign the address that was entered into their books. This was without a precedent, and yet it was promoted by those who, as was thought, hoped, by so unusual a practice, to prevent any further proceedings on that head. No exception was made to any article of the alliances ; one addition was only proposed, that no peace should be made till a full reparation was offered to the king for the indignity done him by the French king's declaring the pretended prince of Wales king of England ; which was soon after proposed to the allies, and was agreed to by them all. By the alliances, the king was obliged to furnish forty thousand men to serve in the armies, besides what he was to do by sea ; all was consented



to in every particular ; angry men showed much rancour against the king, and tried to cross every thing that was proposed, both as to the quotas of the troops we were to furnish, and as to the strength of our fleet. But the public interest was now so visible, and the concurrent sense of the nation ran so vehemently for a war, that even those who were most averse to it, found it convenient to put on the appearance of zeal for it. The city of London was now more united than it had been at any time during this reign, for the two companies that traded to the East-Indies, saw that their common interest required they should come to an agreement ; and though men of ill designs did all they could to obstruct it, yet in conclusion it was happily effected. This made the body of the city, which was formerly much divided between the two companies, fall now into the same measures. But those who intended to defeat all this good beginning of the session, and to raise a new flame, set on debates that must have embroiled all again, if they had succeeded in their designs : they began with complaints of some petitions and addresses that had reflected on the proceedings of the last house of commons ; but it was carried against them, that it was the right of the subjects to petition as they thought themselves aggrieved ; yet they were not discouraged by this, but went on to complain that the lords had denied justice in the matter of the impeachments. This bore a long and hot debate in a very full house ; but it was carried, though by a small majority, that justice had not been denied them ; after this, the party gave over any further struggling, and things were carried on with more unanimity.

The house of commons began a bill of attainder of the pretended prince of Wales. This could not be opposed, much less stopped ; yet many showed a coldness in it, and were absent on the days in which it was ordered to be read ; it was sent up to the lords, and it passed in that house, with an addition of an attainder of the queen, who acted as queen regent for him. This was much opposed, for no evidence could be brought to prove that allegation, yet the thing was so notorious, that it was passed, and was sent down again to the commons. It was excepted to there as not regular, since but one precedent in king Henry the Eighth's time was brought for it, and in that the commons had added some names by a clause in a bill of attainder, sent down to them by the lords ; yet as this was a single precedent, so it seemed to be a hard one : attainders by bill were the greatest rigours of the law, so stretches in them ought to be avoided ; it was therefore thought more proper to attain her by a bill apart, than by a clause in another bill ; to this the lords agreed, so the bill against the pretended prince of Wales passed. The lords also passed a new bill, attainting the queen, but that was let sleep in the house of commons.

The matter that occasioned the longest and warmest debates in both houses, was an act for abjuring the pretended prince of Wales, and for swearing to the king by the title of rightful and lawful king, and to his heirs, according to the act of settlement : this was begun in the house of lords, and the first design was, that it should be voluntary, it being only to be tendered to all persons, and their subscription or refusal to be recorded, without any other penalty. It was vehemently opposed by all the tory party, at the head of whom the earl of Nottingham set himself. They who argued against it, said this government was first settled with another oath, which was like an original contract, and it was unjust and unreasonable to offer a new one : there was no need of new oaths, as there was no new strength got by them : oaths, relating to men's opinions, had been always looked on as severe impositions : a voluntary oath seemed to be by its nature unlawful ; for we cannot swear lawfully unless we are required to do it. To all this it was answered, that in ancient time, the oath of allegiance was short and simple, because then it was not thought that princes had any right, other than what was conveyed to them by law ; but of late, and indeed very lately, new opinions had been started of a divine right, with which former times were not acquainted : so it was necessary to know who among us adhered to these opinions ; the present government was begun upon a comprehensive foot, it being hoped that all parties might have been brought to concur in supporting it : but the effects had not answered expectation ; distinctions had been made between a king *de jure* and a king *de facto* ; whereby these men plainly declared with whom they believed the right was lodged : this opinion must, whensoever that right comes to be claimed, oblige those who hold it to adhere to such claimers ; it seemed therefore in some sort necessary that the government should know on

whom it might depend : the discrimination made, by such a test, was to be without compulsion, or penalty ; no hardship was put on any person by it : those who refused to give this security would see what just cause of jealousy they gave, and would thereby be obliged to behave themselves decently and with due caution : when a government tendered an oath, though under no penalty, that was a sufficient authority for all to take it who were satisfied with the substance of it : while, therefore, there was so great a power beyond sea, that did so openly espouse this young man's pretensions, and while there was just ground to suspect that many at home favoured him, it seemed very reasonable to offer a method, by which it should appear, who obeyed the present government from a principle, believing it lawful, and who submitted only to it, as to a prosperous usurpation. About twenty lords persisted in their opposition to this bill ; those who were for it being thrice that number ; but, in the house of commons, when it appeared how the lords were inclined, they resolved to bring in a bill that should oblige all persons to take this abjuration. It was drawn by sir Charles Hedges ; all employments in church or state were to be subject to it : some things were added to the abjuration, such as an obligation to maintain the government in king, lords, and commons, and to maintain the church of England, together with the toleration for dissenters : Finch offered an alteration to the clause, abjuring the prince of Wales, so that it imported only an obligation not to assist him ; but though he pressed this with unusual vehemence, in a debate that he resumed seventeen times in one session, against all rules, he had few to second him in it : the debate, whether the oath should be imposed, or left free, held longer ; it was carried, but by one vote, to impose it : the party chose that, rather than to have it left free ; for they reckoned the taking an oath that was imposed, was a part of their submission to the usurpation ; but the taking any oath, that strengthened the government, of their own accord, did not suit with their other principles ; but to help the matter with a show of zeal, they made the clause that imposed it very extensive, so that it comprehended all clergymen, fellows of colleges, schoolmasters, and private tutors : the clause of maintaining the government in king, lords, and commons, was rejected with great indignation ; since the government was only in the king ; the lords and commons being indeed a part of the constitution, and of the legislative body, but not of the government. This was a bare-faced republican notion, and was wont to be condemned as such by the same persons who now pressed it. It was farther said, that if it appeared that our constitution was in danger, it might be reasonable to secure it by an act and oath apart ; but since the single point, that required this abjuration, was the French king's declaring that the pretended prince of Wales was our king, it was not fit to join matters foreign to that in this oath ; upon the same reason, the clause in favour of the church, and of the toleration, were also laid aside. The design of this act was to discover to all, both at home and abroad, how unanimously the nation concurred in abjuring the pretended prince of Wales ; but here was a clause, to one part of which (the maintaining the church) the dissenters could not swear ; and even the more moderate men of the church, who did well approve of the toleration, yet might think it too much to swear to maintain it ; since it was reasonable to oblige the dissenters to use their liberty modestly, by keeping them under the apprehension of having it taken away, if it was abused by them. One addition was offered, and received without any debate about it, or the shadow of any opposition ; it was declared to be high treason to endeavour to prevent or defeat the princess's right of succession : the tories pretended great zeal for her, and gave it out that there was a design to set her aside, and to have the house of Hanover to succeed the king immediately ; though it could never be made appear that any motion of this kind had ever been either made, or debated, even in private discourse, by any of the whole whig party. Great endeavours were used, and not altogether without effect, to infuse this jealousy into the princess, and into all about her, not without insinuations, that the king himself was inclined to it. When this clause was offered, its being without a precedent, gave handle enough to oppose it, yet there was not one word said in opposition to it, in either house, all agreeing heartily in it. This ought to have put an end to the suspicion, but surmises of that kind, when raised on design, are not soon parted with.

Soon after the session was opened, the earl of Rochester wrote to the king, and asked leave to come over ; it was soon granted, but when he signified this to the council of Ireland, the

whole board joined in a request to him, that he would lay before the king the great grievances under which the whole kingdom lay, by the proceedings of the trustees, who stretched the authority that the law gave them, in many instances, to the oppressing of the nation; he seemed uneasy at the motion, but promised to lay it before the king, which he did at his coming over. Soon after that, petitions were sent round all the counties of Ireland, and signed by many, representing both the hardships of the act, and the severe methods the trustees took in executing it: all this was believed to be set on secretly by the court, in hope that some temper might be found in that matter, so that the king's grants might again take place in whole, or in part. The house of commons was moved to proceed severely against the promoters of these petitions; yet the complaining of grievances had been so often asserted to be a right of the subject, that this was let fall; but since no person appeared to justify the facts set forth, and suggested in those petitions, they were voted false and scandalous, and this stopped a further progress in that method. The heat with which that act had been carried was now much qualified, and the trustees having judged for so many claims in favour of Irish papists, showing too manifest a partiality for them, and having now sat two years, in which they had consumed all the rents that arose out of the confiscated estates, the house was applied to for their interposition, by many petitions relating to that matter. This was the more necessary, because, as was formerly told, when that act was depending, they had passed a vote against receiving any petition relating to it: the thing had now lost much of the credit and value that was set upon it at first; and though the same party still opposed the receiving any petitions, yet the current was now so strong the other way, that they were all received, and in a great many cases justice was done; yet with a manifest partiality, in favour of papists; it being a maxim, among all who favoured king James's interests, to serve papists, especially those whose estates were confiscated for adhering to him. One motion was carried, not without difficulty, in favour of those who had purchased under the grantees, and had made great improvements, that they should be admitted to purchase with an abatement of two years' value of the estates: the earl of Athlone, whose case was singular, as was formerly set out, having sold his grant to men, who had reason to think they had purchased under a secure title, a special clause was offered in their favour; but the party had studied so far to inflame the nation against the Dutch, that in this the votes were equal, and the speaker's vote being to turn the matter, he gave it against the purchasers. Many bills were brought in relating to Irish forfeitures, which took up the greatest part of the session.

The commons, after a long delay, sent up the bill, abjuring the prince of Wales. In the house of lords the Tories opposed it all they possibly could: it was a new bill, so the debate was entirely open; they first moved for a clause, excusing the peers from it: if this had been received, the bill would have been certainly lost, for the commons would never have yielded to it: when this was rejected, they tried to have brought it back to be voluntary; it was a strange piece of inconsistency in men to move this, who had argued even against the lawfulness of a voluntary oath: but it was visible they intended by it only to lose, or at least to delay, the bill: when this was over-ruled by the house, not without a mixture of indignation in some against the movers, they next offered all those clauses that had been rejected in the house of commons, with some other very strange additions, by which they discovered both great weakness and an inveterate rancour against the government; but all the opposition ended in a protestation of nineteen or twenty peers against the bill.

And now I am arrived at the fatal period of this reign. The king seemed all this winter in a very fair way of recovery; he had made the royal apartments in Hampton-court very noble, and he was so much pleased with the place, that he went thither once a week, and rode often about the park: in the end of February, the horse he rode on stumbled, and he, being then very feeble, fell off and broke his collar-bone: he seemed to have no other hurt by it, and his strength was then so much impaired, that it was not thought necessary to let him bleed, no symptom appeared that required it: the bone was well set, and it was thought there was no danger; so he was brought to Kensington that night: he himself had apprehended all this winter that he was sinking; he said to the earl of Portland, both before and after this accident, that he was a dead man: it was not in his legs, nor now in his collar-



bone, that he felt himself ill, but all was decayed within, so that he believed he should not be able to go through the fatigue of another campaign. During his illness, he sent a message to the two houses, recommending the union of both kingdoms to them. The occasion of this, was a motion that the earl of Nottingham had made, in the house of lords, when the act of abjuration was agreed to: he said, though he had differed from the majority of the house in many particulars relating to it, yet he was such a friend to the design of the act, that in order to the securing a protestant succession, he thought an union of the whole island was very necessary; and that therefore they should consider how both kingdoms might be united; but in order to this, and previous to it, he moved, that an address should be made to the king, that he would be pleased to dissolve the parliament now sitting in Scotland, and to call a new one: since the present parliament was at first a convention, and then turned to a parliament, and was continued ever since, so that the legality of it might be called in question; and it was necessary that so important a thing as the union of both kingdoms, should be treated in a parliament against the constitution of which no exception could lie. The motion was warmly opposed; for that nation was then in such a ferment, that the calling a new parliament would have been probably attended with bad consequences; so that project was let fall, and no progress was made upon the king's message. On the third of March, the king had a short fit of an ague, which he regarded so little, that he said nothing of it: it returned on him next day: I happened to be then near him, and observed such a visible alteration, as gave me a very ill opinion of his condition; after that he kept his chamber till Friday: every day it was given out that his fits abated; on Friday, things had so melancholy a face, that his being dangerously ill was no longer concealed; there was now such a difficulty of breathing, and his pulse was so sunk, that the alarm was given out every where; he had sent the earl of Albemarle over to Holland to put things in a readiness for an early campaign. He came back on the 7th of March in the morning, with so good an account of every thing, that, if matters of that kind could have wrought on the king, it must have revived him; but the coldness with which he received it showed how little hopes were left: soon after, he said, "*Je tire vers ma fin*, (I draw towards my end.)" The act of abjuration, and the money bill, were now prepared for the royal assent; the council ordered all things to be in a readiness for the passing of those bills by a special commission, which according to form must be signed by the king, in the presence of the lord keeper and the clerks of the parliament: they came to the king, when his fit began, and stayed some hours before they were admitted; some in the house of commons moved for an adjournment, though the lords had sent to them not to adjourn for some time; by this means they hoped the bill of abjuration should be lost; but it was contrary to all rules to adjourn, when such a message was sent them by the lords, so they waited till the king had signed the commission and the bills, and thus those acts passed in the last day of the king's life.

The king's strength and pulse was still sinking, as the difficulty of breathing increased, so that no hope was left. The archbishop of Canterbury and I went to him on Saturday morning, and did not stir from him till he died. The archbishop prayed on Saturday some time with him, but he was then so weak that he could scarcely speak, but gave him his hand, as a sign that he firmly believed the truth of the Christian religion, and said, he intended to receive the sacrament: his reason and all his senses were entire to the last minute: about five in the morning he desired the sacrament, and went through the office with great appearance of seriousness, but could not express himself; when this was done, he called for the earl of Albemarle, and gave him a charge to take care of his papers. He thanked Mr. Auverquerque for his long and faithful services. He took leave of the duke of Ormond, and called for the earl of Portland, but before he came, his voice quite failed, so he took him by the hand, and carried it to his heart with great tenderness. He was often looking up to heaven, in many short ejaculations. Between seven and eight o'clock the rattle began, the commendatory prayer was said for him, and as it ended he died, in the fifty-second year of his age, having reigned thirteen years and a few days. When his body was opened, it appeared that, notwithstanding the swelling of his legs, he had no dropsy; his head and heart were sound; there was scarcely any blood in his body; his lungs stuck to his side, and by the fall from his horse, a part of them was torn from it, which occasioned an inflammation, that was

believed to be the immediate cause of his death, which probably might have been prevented for some time, if he had been then let blood. His death would have been a great stroke at any time, but in our circumstances, as they stood at that time, it was a dreadful one. The earl of Portland told me, that when he was once encouraging him, from the good state his affairs were in, both at home and abroad, to take more heart; the king answered him, that he knew death was that which he had looked at on all occasions without any terror; sometimes he would have been glad to have been delivered out of all his troubles, but he confessed now he saw another scene, and could wish to live a little longer. He died with a clear and full presence of mind, and in a wonderful tranquillity. Those who knew it was his rule, all his life long, to hide the impressions that religion made on him as much as possible, did not wonder at his silence in his last minutes, but they lamented it much; they knew what a handle it would give to censure and obloquy.

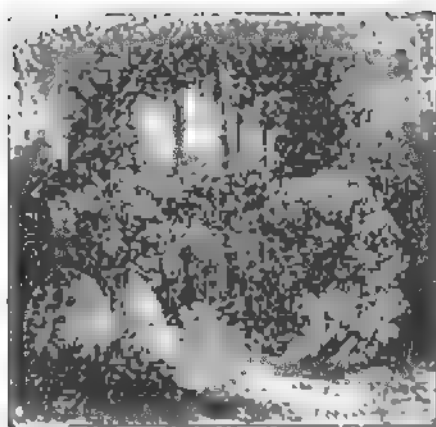
Thus lived and died William the Third, king of Great Britain, and prince of Orange. He had a thin and weak body, was brown haired, and of a clear and delicate constitution; he had a Roman eagle nose, bright and sparkling eyes, a large front, and a countenance composed to gravity and authority: all his senses were critical and exquisite. He was always asthmatical, and the dregs of the small pox falling on his lungs, he had a constant deep cough. His behaviour was solemn and serious, seldom cheerful, and but with a few: he spoke little and very slowly, and most commonly with a disgusting dryness, which was his character at all times, except in a day of battle; for then he was all fire, though without passion: he was then every where, and looked to every thing. He had no great advantage from his education; De Wit's discourses were of great use to him, and he, being apprehensive of the observation of those who were looking narrowly into every thing he said or did, had brought himself under an habitual caution that he could never shake off, though in another scene it proved as hurtful as it was then necessary to his affairs: he spoke Dutch, French, English and German equally well; and he understood the Latin, Spanish and Italian, so that he was well fitted to command armies composed of several nations. He had a memory that amazed all about him, for it never failed him; he was an exact observer of men and things; his strength lay rather in a true discerning and a sound judgment, than in imagination, or invention: his designs were always great and good; but it was thought he trusted too much to that, and that he did not descend enough to the humours of his people to make himself, and his notions, more acceptable to them: this, in a government that has so much of freedom in it as ours, was more necessary than he was inclined to believe: his reservedness grew on him, so that it disgusted most of those who served him; but he had observed the errors of too much talking, more than those of too cold a silence. He did not like contradiction, nor to have his actions censured, but he loved to employ and favour those who had the arts of complaisance: yet he did not love flatterers. His genius lay chiefly to war, in which his courage was more admired than his conduct: great errors were often committed by him, but his heroic courage set things right, as it inflamed those who were about him: he was too lavish of money on some occasions, both in his buildings, and to his favourites, but too sparing in rewarding services, or in encouraging those who brought intelligence: he was apt to take ill impressions of people, and these stuck long with him, but he never carried them to indecent revenges; he gave too much way to his own humour almost in every thing, not excepting that which related to his own health; he knew all foreign affairs well, and understood the state of every court in Europe very particularly; he instructed his own ministers himself, but he did not apply enough to affairs at home: he tried how he could govern us by balancing the two parties one against another, but he came at last to be persuaded that the tories were irreconcilable to him, and he was resolved to try and trust them no more. He believed the truth of the Christian religion very firmly, and he expressed a horror at atheism and blasphemy; and though there was much of both in his court, yet it was always denied to him, and kept out of sight. He was most exemplarily decent and devout in the public exercises of the worship of God, only on week days he came too seldom to them: he was an attentive hearer of sermons, and was constant in his private prayers, and in reading the scriptures: and when he spoke of religious matters, which he did not often, it was with a becoming gravity. He was much possessed with the belief of absolute decrees: he said to

me, he adhered to these, because he did not see how the belief of Providence could be maintained upon any other supposition; his indifference as to the forms of church government, and his being zealous for toleration, together with his cold behaviour towards the clergy, gave them generally very ill impressions of him; in his deportment towards all about him, he seemed to make little distinction between the good and the bad, and those who served well, or those who served him ill: he loved the Dutch, and was much beloved among them; but the ill returns he met from the English nation, their jealousies of him, and their perverseness towards him, had too much soured his mind, and had in a great measure alienated him from them, which he did not take care enough to conceal, though he saw the ill effects this had upon his business. He grew, in his last years, too remiss and careless as to all affairs; till the treacheries of France awakened him, and the dreadful conjunction of the monarchies gave so loud an alarm to all Europe; for a watching over that court, and a bestirring himself against their practices, was the prevailing passion of his whole life. Few men had the art of concealing and governing passion more than he had; yet few men had stronger passions, which were seldom felt but by inferior servants, to whom he usually made such recompenses, for any sudden, or indecent, vents he might give his anger, that they were glad at every time that it broke upon them: he was too easy to the faults of those about him, when they did not lie in his own way, or cross any of his designs; and he was so apt to think that his ministers might grow insolent, if they should find that they had much credit with him, that he seemed to have made it a maxim, to let them often feel how little power they had, even in small matters: his favourites had a more entire power, but he accustomed them only to inform him of things, but to be sparing in offering advice, except when it was asked; it was not easy to account for the reasons of the favour that he shewed, in the highest instances, to two persons beyond all others, the earls of Portland and Albemarle; they being in all respects men, not only of different, but of opposite characters; secrecy and fidelity were the only qualities in which it could be said, that they did in any sort agree. I have now run through the chief branches of his character; I had occasion to know him well, having observed him very carefully in a course of sixteen years: I had a large measure of his favour, and a free access to him all the while, though not at all times to the same degree: the freedom that I used with him was not always acceptable; but he saw that I served him faithfully, so, after some intervals of coldness, he always returned to a good measure of confidence in me; I was, in many great instances, much obliged by him; but that was not my chief bias towards him; I considered him as a person raised up by God to resist the power of France, and the progress of tyranny and persecution; the series of the five princes of Orange, that was now ended in him, was the noblest succession of heroes that we find in any history; and the thirty years, from the year 1672 to his death, in which he acted so great a part, carry in them so many amazing steps of a glorious and distinguishing Providence, that in the words of David, he may be called, "The man of God's right hand, whom he made strong for himself." After all the abatements that may be allowed for his errors and faults, he ought still to be reckoned among the greatest princes that our history, or indeed that any other, can afford. He died in a critical time for his own glory; since he had formed a great alliance, and had projected the whole scheme of the war; so that if it succeeds, a great part of the honour of it will be ascribed to him; and if otherwise, it will be said he was the soul of the alliance, that did both animate and knit it together, and that it was natural for that body to die and fall asunder, when he who gave it life was withdrawn. Upon his death, some moved for a magnificent funeral; but it seemed not decent to run into unnecessary expense, when we were entering on a war, that must be maintained at a vast charge; so a private funeral was resolved on. But for the honour of his memory, a noble monument and an equestrian statue were ordered. Some years must shew whether these things were really intended, or if they were only spoken of to excuse the privacy of his funeral, which was scarcely decent, so far was it from being magnificent.



## BOOK VII.

## OF THE LIFE AND REIGN OF QUEEN ANNE.



Y the death of king William, pursuant to the act that had settled the succession of the crown, it devolved on Anne, the youngest daughter of king James, by his first marriage; she was then entered on the thirty-eighth year of her age. Upon the king's death, the privy council came in a body to wait on the new queen: she received them with a well considered speech\*. She expressed great respect to the memory of the late king, in whose steps she intended to go, for preserving both church and state, in opposition to the growing power of France, and for maintaining the succession in the protestant line: she pronounced this as she did all her other speeches, with great weight and authority, and with a softness of voice, and sweetness in the pronunciation, that added much life to all she spoke. These, her first expressions, were heard with great and just acknowledgments: both houses of parliament met that day, and made addresses to her, full of respect and duty: she answered both very favourably, and she received all that came to her in so gracious a manner, that they went from her highly satisfied with her goodness, and her obliging deportment; for she hearkened with attention to every thing that was said to her. Two days after, she went to the parliament, which, to the great happiness of the nation, and to the advantage of her government, was now continued to sit, notwithstanding the king's demise, by the act, that was made five years before, upon the discovery of the assassination plot. In her speech she repeated, but more copiously, what she had said to the council, upon her first accession to the throne. There were two passages in this speech that were thought not so well considered: she assured them her heart was "entirely English;" this was looked on as a reflection on the late king: she also added, that they might "depend on her word." Both these expressions had been in her father's first speech, how little soever they were afterwards minded by him. The city of London, and all the counties, cities, and even the subaltern bodies of cities, came up with addresses; in these a very great diversity of style was observed; some mentioned the late king in terms full of respect and gratitude; others named him very coldly; some took no notice of him, nor of his death, and simply congratulated her coming to the crown; and some insinuated reflections on his memory, as if the queen had been ill used by him. The queen received all civilly; to most she said nothing, to others she expressed herself in general words, and some things were given out in her name, which she disowned.

Within a week after her coming to the crown, she sent the earl of Marlborough to Holland, to give the States full assurances of her maintaining the alliances that had been concluded by the late king, and of doing every thing that the common concerns of Europe required. She gave notice also of her coming to the crown to all the princes and states of Europe, except France and Spain. The earl of Marlborough stayed some days in Holland, to very good purpose; the king's death had struck them all with such a damp, that they needed the encouragement of such a message, as he brought them: when they had the first news of the king's death, they assembled together immediately; they looked on one another as men amazed; they embraced one another, and promised they would stick together, and adhere to the interests of their country: they sat up most of the night, and sent out all the

\* See Chandler's Debates, House of Commons, iii. 197.

orders that were necessary upon so extraordinary an emergency. They were now much revived by the earl of Marlborough's presence, and by the temper that both houses of parliament were in with relation to the alliances, and the war with France; and they entered into such confidence with the earl of Marlborough, that he came back as well satisfied with them, as they were with him. The queen in her first speech had asked of the commons the continuance of that revenue, which supported the civil list, and it was granted to her for life, very unanimously, though many seemed to apprehend that so great a revenue might be applied to uses, not so profitable to the public, in a reign that was likely to be frugal, and probably would not be subject to great accidents. When the queen came to pass the act, and to thank the parliament for it, she said, she intended to apply one hundred thousand pounds of it to the public occasions of the present year: this was received with great applause, and particular notice was taken of it in all the addresses that came up afterwards.

At the same time, the queen passed a bill for receiving and examining the public accounts; and in her speech she expressed a particular approbation of that bill. A commission to the same effect had been kept up for six or seven years, during the former reign, but had been let fall for some years; since the commissioners had never been able to make any discovery whatsoever, and so had put the public to a considerable charge, without reaping any sort of fruit from it. Whether this flowed from the weakness or corruption of the commissioners, or from the integrity or cunning of those who dealt in the public money, cannot be determined. The party that had opposed the late king had made this the chief subject of their complaints all the nation over, that the public was robbed, and that private men lived high, and yet raised large estates out of the public treasure. This had a great effect over England; for all people naturally hearken to complaints of this kind, and very easily believe them: it was also said, to excuse the fruitlessness of the former commissions, that no discoveries could be made under a ministry that would surely favour their under-workmen, though they were known to be guilty. One visible cause of men's raising great estates, who were concerned in the administration, was this, that for some years the parliament laid the taxes upon very remote funds, so that, besides the distance of the term of payment, for which interest was allowed, the danger the government itself seemed to be often in (upon the continuance of which the continuance and assignment of these funds was grounded) made that some tallies were sold at a great discount, even of the one half, to those who would employ their money that way, by which great advantages were made. The gain that was made, by robbing the coin, in which many goldsmiths were believed to be deeply concerned, contributed not a little to the raising those vast estates, to which some had grown, as suddenly as unaccountably. All these complaints were easily raised, and long kept up, on design to cast the heavier load on the former ministry: this made that ministry, who were sensible of the mischief this clamour did them, and of their own innocence, promote the bill with much zeal, and put the strongest clauses in it that could be contrived to make it effectual. The commissioners named in the bill were the hottest men in the house, who had raised, as well as kept up, the clamour, with the greatest earnestness. One clause put in the act, was not very acceptable to the commissioners; for they were rendered incapable of all employments during the commission; the act carried a retrospect quite back to the revolution; it was given out that great discoveries would be made by them, and the art and industry with which this was spread over England, had a great effect in the elections to the succeeding parliament. The coronation was on the 23rd of April, on St. George's day; it was performed with the usual magnificence: the archbishop of York (Dr. Sharp) preached a good and wise sermon on the occasion; the queen immediately after that gave orders for naming the electress of Brunswick, in the collect for the royal family, as the next heir of the crown, and she formed a ministry.

The coldness had continued between the king and her, to such a degree, that though there was a reconciliation after the queen's death, yet it went not much farther, than what civility and decency required: she was not made acquainted with public affairs\*. She was not encouraged to recommend any to posts of trust and advantage; nor had the ministry orders to inform her how matters went, nor to oblige those about

See Duchess of Marlborough's Letters to and from Queen Anne.

her: only pains had been taken to please the earl of Marlborough, with which he was fully satisfied: nothing had contented him better than the command he had the former year of the troops, which were sent to the assistance of the States. The whigs had lived at a great distance with the queen all the former reign: the tories had made much noise with their zeal for her, chiefly after the death of the duke of Gloucester, though they came seldom to her: her court was then very thin, she lived in due abstraction from business, so that she neither gave jealousy, nor encouraged faction: yet these things had made those impressions on her, that had at first ill effects, which were soon observed and remedied. The late king had sent a message to the earl of Rochester some weeks before he died, letting him know that he had put an end to his commission of lord lieutenant of Ireland, but that was not executed in form; so the commission did still subsist in his person: he was upon that now declared lord lieutenant of Ireland. The lord Godolphin was made lord treasurer; this was very uneasy to himself, for he resisted the motion long; but the earl of Marlborough pressed it in so positive a manner, that he said he could not go beyond sea to command our armies, unless the treasury was put in his hands; for then he was sure that remittances would be punctually made him. He was declared captain-general, and the prince\* had the title of generalissimo of all the queen's forces by sea and land. It was for some time given out, that the prince intended to go beyond sea, to command the armies of the alliance, but this report soon fell; and it was said, the Dutch were not willing to trust their armies to the command of a prince, who might think it below him to be limited by their instructions, or to be bound to obey their orders. The late king had dissolved the commission for executing the office of the lord admiral, and had committed that great trust to the earl of Pembroke: the secrets of that board were so ill kept, and there was such a faction in it, that the king resolved to put it in a single person; the earl of Pembroke was not easily brought to submit to it: he saw it would draw a heavy load on him, and he was sensible that by his ignorance of sea affairs, he might commit errors: yet he took good officers to his assistance: he resolved to command the fleet in person, and he took great pains to put things in such order that it might be soon ready. A land army was designed to go with the fleet, to the command of which the duke of Ormond had been named: but upon new measures, the earl of Pembroke was first sent to, not to go to sea in person, and soon after he was dismissed from his post, with the offer of a great pension, which he very generously refused, though the state of his affairs and family seemed to require it. The prince was made lord high admiral, which he was to govern by a council; the legality of this was much questioned, for it was a new court, which could not be authorized to act, but by an act of parliament; yet the respect paid the queen made that no public question was made of this, so that objections to it never went beyond a secret murmur. The earl of Nottingham and sir Charles Hedges were made secretaries of state: the tories would trust none but the earl of Nottingham, and he would serve with none but Hedges†: the maxim laid down at court, was, to put the direction of affairs in the hands of the tories. The earl of Marlborough assured me this was done, upon the promises they made to carry on the war, and to maintain the alliances; if they kept these, then affairs would go on smoothly in the house of commons, but if they failed in this, the queen would put her business in other hands, which at that time few could believe. The marquis of Normanby was, to the admiration of all men, made lord privy seal, and soon after duke of Buckingham‡. The earl of Abingdon, viscount Weymouth, lord Dartmouth, Seymour, Musgrave, Greenvil, How, Luçon § Gower, Harcourt, with several others, who had, during the last reign, expressed the most violent and unrelenting aversion to the whole administration, were now brought to the council board, and put in good posts.

\* Prince George of Denmark, the queen's husband. Unlike the same relation of her sister, he was not acknowledged as king.

† Sir Charles Hedges was secretary of state to king William, and lost his office a short time before this monarch's death; but was restored under queen Anne, owing to the earl of Nottingham refusing to be secretary unless he was so reinstated. This was to prevent Vernon taking the office, whom the earl did not wish to have for

his colleague; although he gave out as a more honourable reason, that sir Charles ought to be restored because he had lost his place for a conscientious vote in the house of commons.—Earl of Dartmouth in Oxford edition of this work.

‡ Duke of Normanby and Buckinghamshire. There being suspected to be somewhere latent a claim to the title of Buckingham.—Johnson's *Lives of the Poets*.

§ Spelt Levison, though still often pronounced as *spels* by Burnet.



Before the king's death, it was generally thought, that some in both houses, and many more over the nation, would refuse the abjuration: they had opposed it so vehemently, that no less could be expected from them. Some went out of town when the day came, in which the houses resolved to try all their members; but they soon came to other resolutions, and with them almost the whole party came and took the oath, and professed great zeal for the queen, and an entire satisfaction in her title. Some suspected this was treachery, on design to get the government once into their hands, that so they might deliver it up, or at least that they might carry a parliament so to their mind, that the act might be repealed; and they might think, that then the oath would fall with it. Distinctions were set about among them, which heightened these suspicions; for though in the oath they declared that the pretended prince of Wales had not any right whatsoever to the crown; yet in a paper (which I saw) that went about among them, it was said that "right" was a term of law, which had only relation to "legal rights," but not to a "divine right," or to "birth right:" so since that right was condemned by law, they, by abjuring it, did not renounce the "divine right," that he had by his birth. They also supposed that this abjuration could only bind, during the present state of things, but not in case of another revolution, or of a conquest: this was too dark a thing to be inquired after, or seen into, in the state matters were then in. The queen continued most of the great officers of the household, all the judges except two, and most of the lords lieutenants of counties; nor did she make any change in the foreign ministry. It was generally believed that the earl of Rochester and his party were for severe methods, and for a more entire change, to be carried quite through all subaltern employments; but that the lord Godolphin and the earl of Marlborough were for moderate proceedings; so that though no whigs were put into employments, yet many were kept in the posts they had been put into, during the former reign. Repeated assurances were sent to all the allies, that the queen would adhere firmly to them.

The queen in her first speech to her parliament, had renewed the motion, made by the late king, for the union of both kingdoms; many of those who seemed now to have the greatest share of her favour and confidence, opposed it with much heat, and not without indecent reflections on the Scotch nation; yet it was carried by a great majority, that the queen should be empowered to name commissioners for treating of an union; it was so visibly the interest of England, and of the present government, to shut that back door against the practices of France, and the attempts of the pretended prince of Wales, that the opposition made to this first step towards an union, and the indecent scorn with which Seymour and others treated the Scots, were clear indications that the posts they were brought into had not changed their tempers; but that, instead of healing matters, they intended to irritate them farther by their reproachful speeches. The bill went through both houses, notwithstanding the rough treatment it met with at first\*.

Upon the earl of Marlborough's return from Holland, and in pursuance of the concert at the Hague, the queen communicated to both houses her design to proclaim war with France; they approving of it, war was proclaimed on the fourth day of May: the house of commons made an address to thank the queen for ordering the princess Sophia to be prayed for; and as the right, that recommended her, was in her own blood, she was designed by her Christian name, and not by her title: it came to be known that this was opposed in council by the marquis of Normanby, but that it was promoted by the lord treasurer (Godolphin).

A report was spread about town, and over the nation, with such a seeming assurance, that many were inclined to believe it, that a scheme had been found among the king's papers for setting aside the queen; some added, for imprisoning her, and for bringing the house of Hanover immediately into the succession; and that, to support this, a great change was to be made in all the employments and offices over the whole kingdom; this, many of those who were now in posts, had talked of in so public a manner, that it appeared they intended to possess the whole nation with a belief of it; hoping thereby to alienate the people from those who had been in the late king's confidence, and disgrace all that side, in order to the carrying all elections of parliament for men of their party. Five lords had been ordered by

\* In the compass of restricted notes, it is not possible to detail the proceedings connected with this most important measure. The reader is therefore referred to De Foe's excellent "History of the Union."

the queen to visit the late king's papers, and bring her such of them as related to the alliances, or other affairs, of the crown; these were the dukes of Somerset and Devonshire, and the earls of Marlborough, Jersey, and Albemarle: the whigs saw the design which was driven at by those false reports; so a motion was made in the house of lords by the earl of Carlisle, and seconded by the lords Wharton, Halifax, and others, that an inquiry should be made into the truth of that report, and of all other stories of that kind, that so, if there was any truth in them, such as had been concerned in those wicked designs might be punished; and if they were found to be false, that those who spread them about might be chastised. Upon this the house desired that those lords who had visited the late king's papers, would let them know if they had met with any among them relating to the queen's succession, or to the succession of the house of Hanover. Four of them were then in the house, only the earl of Marlborough was ill that day, so the four who were present said, they had found nothing that did in any sort relate to that matter, and this was confirmed by the earl of Marlborough to some peers, who were sent by the house to ask him the same question. Upon which a vote passed, that these reports were false and scandalous; and an order was made for prosecuting the spreaders of them. Some books had been published, charging the late ministry and the whole whig party with the like designs: these books were censured, and the authors of them were ordered to be prosecuted; though both the marquis of Normanby and the earl Nottingham did all they could to excuse those writers. When the falsehood of those calumnies was apparent, then it was given out, with an unusual confidence, that no such reports had been ever set about; though the contrary was evident, and the thing was boldly asserted in those books; so that a peculiar measure of assurance was necessary to face down a thing which they had taken such pains to infuse into the minds of the credulous vulgar, all England over. The earl of Nottingham, to divert this inquiry, moved, that another might be made into those books, in which the murder of king Charles the First was justified; though the provocation given to some of these, was, by a sermon preached by Dr. Binks before the convocation, on the 30th of January, in which he drew a parallel between king Charles's sufferings and those of our Saviour; and, in some very indecent expressions, gave the preference to the former. When the business of the session of parliament was all done, the queen dismissed them, with thanks for the money they had given, recommending earnestly to them a good agreement among themselves, assuring them that as on the one hand she would maintain the toleration, so on the other hand, her own principles would oblige her to have a particular regard to those who expressed the truest zeal for the church of England: thus the session ended, and the proclamation dissolving the parliament, with the writs for a new one, came out not long after.

During some part of this parliament, a convocation sat; the faction raised in the lower house had still the majority; several books were written to show that, by our constitution, the power of adjourning was wholly in the archbishop: the original book of the convocation that sat in the year 1661, being happily found, it showed the practice of that convocation agreed with the bishops in every particular; but though it was communicated to the lower house, that had no effect on them; for when parties are once formed, and a resolution is taken up on other considerations, no evidence can convince those who have beforehand resolved to stick to their point. But the prolocutor dying, and the king's death following, the convocation was by that dissolved; since in the act, that empowered the parliament to sit after the king's death, no provision was made to continue the convocation. The earl of Rochester moved in the house of lords, that it might be considered whether the convocation was not a part of the parliament, and whether it was not continued in consequence of the act that continued the parliament; but that was soon let fall, for the judges were all of opinion that it was dissolved by the king's death.

Upon the queen's accession to the crown, all these angry men that had raised this flame in the church, as they treated the memory of the late king with much indecent contempt, so they seemed very confident, that for the future all preferments should be distributed among them (the queen having superseded the commission for ecclesiastical preferments) and they thought they were full of merit, and were as full of hopes.

Such an evil spirit as is now spread among the clergy, would be a sad speculation at any

time, but in our present circumstances, when we are near so great a crisis, it is a dreadful thing ; but a little to balance this, I shall give an account of more promising beginnings and appearances, which though they are of an elder date, yet of late they have been brought into a more regulated form. In king James's reign, the fear of popery was so strong, as well as just, that many, in and about London, began to meet often together, both for devotion, and for their further instruction : things of that kind had been formerly practised, only among the puritans and the dissenters ; but these were of the church, and came to their ministers to be assisted with forms of prayer and other directions : they were chiefly conducted by Dr. Beveridge and Dr. Horneck. Some disliked this, and were afraid it might be the original of new factions and parties ; but wiser and better men thought it was not fit nor decent to check a spirit of devotion, at such a time : it might have given scandal, and it seemed a discouraging of piety, and might be a mean to drive well-meaning persons over to the dissenters. After the revolution, these societies grew more numerous, and for a greater encouragement to devotion, they got such collections to be made, as maintained many clergymen to read prayers in so many places, and at so many different hours, that devout persons might have that comfort at every hour of the day : there were constant sacraments every lord's day in many churches : there were both great numbers and greater appearances of devotion at prayers and sacraments than had been observed in the memory of man \*. These societies resolved to inform the magistrates of swearers, drunkards, profaners of the lord's day, and of lewd houses ; and they threw in the part of the fine, given by law to informers, into a stock of charity ; from this they were called *societies of reformation* : some good magistrates encouraged them, but others treated them roughly. As soon as queen Mary heard of this, she did, by her letters and proclamations, encourage these good designs, which were afterwards prosecuted by the late king. Other societies set themselves to raise charity schools for teaching poor children, for clothing them and binding them out to trades : many books were printed, and sent over the nation by them, to be freely distributed ; these were called societies for propagating Christian knowledge : by this means some thousands of children are now well educated and carefully looked after. In many places of the nation, the clergy met often together, to confer about matters of religion and learning ; and they got libraries to be raised for their common use. At last a corporation was created by the late king, for propagating the gospel among infidels, for settling schools in our plantations, for furnishing the clergy that were sent thither, and for sending missionaries among such of our plantations as were not able to provide pastors for themselves. It was a glorious conclusion of a reign that was begun with preserving our religion, thus to create a corporation for propagating it to the remoter parts of the earth, and among infidels : there were very liberal subscriptions made to it by many of the bishops and clergy, who set about it with great care and zeal ; upon the queen's accession to the crown, they had all possible assurances of her favour and protection, of which, upon every application, they received very eminent marks.

The affairs of Scotland began to be somewhat embroiled ; by an act made soon after the revolution, it was provided, that all princes succeeding to the crown should take the coronation oath before they entered upon their regal dignity ; but no direction was given concerning those who should tender it, or the manner in which it should be taken : so this being left undetermined, the queen called together all the late king's ministers for that kingdom, and in the presence of about twelve of them, she took the coronation oath ; men who were disposed to censure every thing, said, that this ought not to be done, but in the presence of some, deputed for that effect, either by the parliament, or at least by the privy council of that kingdom. Another point occasioned a more important debate.

Upon the assassination plot, an act had passed in Scotland for continuing the parliament, that should be then in being, six months after the death of the king, with two special clauses in it ; the first was, that it should meet twenty days after the death of the king ; but the queen did, by several prorogations, continue the parliament almost three months after the king's death before it was opened. Some said the parliament was by this dis-

\* See "An Account of the Societies for the Reformation of Manners, &c.," published in 1699, with a portrait of King William.



solved, since it did not meet upon the day limited by the act to continue it ; but there was another proviso in the act, that saved to the crown the full prerogative of adjourning, or dissolving, it within that time ; yet in opposition to that, it was acknowledged, that as to all subsequent days of meeting, the prerogative was entire, but the day that was limited, that is the twenty-first after the king's death, seemed to be fixed for the first opening the session.

The second clause was, a limitation on the power of the parliament, during their sitting, that it should not extend to the repealing laws ; they were empowered only to maintain the protestant religion, and the public peace of the country ; it was therefore said, that the queen was peaceably obeyed, and the country now in full quiet, so there was no need of assembling the parliament : the end of the law being compassed, it was said, the law fell of itself, and therefore it was necessary to call a new parliament ; for the old one, if assembled, could have no authority but to see to the preservation of religion, and the peace of the country, their power being limited to those two heads by the act that authorized their sitting. In opposition to this, it was said, that the act which gave them authority to sit as a parliament for six months, gave them the full authority of a parliament : the directing them to take care of some more important matters, did not hinder their meddling with other matters, since no parliament can limit a subsequent one : it was also said, that, since the queen was now engaged in a war, the public peace could not be secured without such a force and such taxes to maintain it as the present state of affairs required. The duke of Queensbury, and his party, were for continuing the parliament ; but duke Hamilton, and the others, who had opposed that duke in the last parliament, complained highly of this way of proceeding : they said, they could not acknowledge this to be a legal parliament, they could not submit to it, but must protest against it ; this was ominous ; a reign was to be begun with a parliament liable to a dispute ; and from such a breach it was easy to foresee a train of mischief likely to follow. These lords came up, and represented to the queen and those in favour with her, their exceptions to all that was intended to be done ; every thing they said was heard very calmly : but the queen was a stranger to their laws, and could not take it upon her to judge of them, so she was determined by the advice of the privy council of that kingdom. The lords that came up to oppose the duke of Queensbury continued to press for a new parliament, in which they promised to give the queen all that she could ask of them, and to consent to an act of indemnity for all that was past in the former reign. But it was thought that the nation was then in too great a heat to venture on that, and that some more time was necessary to prepare matters, as well as men's minds, before a new parliament should be summoned. Both parties went down, and both being very sensible that the presbyterian interest would, with its weight, turn that scale into which it should fall, great pains were taken by both sides to gain that party. On the one hand, they were made to apprehend what a madness it would be for them to provoke the queen in the beginning of her reign, who might be enough disposed to entertain prejudices against them ; these would be much heightened, if in a point, in which conscience could not be pretended, they should engage in a faction against her, especially when they could not say that any cause of jealousy was given ; on the contrary, the queen had, in all her public letters, promised to maintain presbyterian government ; and though that gave great offence in the late king's time, when those public letters were printed, yet now this passed without censure. The other party was as busy to inflame them ; they told them the queen was certainly in her heart against them : all those who were now in her confidence, the earls of Rochester and Nottingham in particular, were enemies to presbyterian government : good words were now given them to separate them from a national interest, knowing well that if they went off from that, and so lost the hearts of the nation, they lost that in which their chief strength lay : the party that now governed, as soon as they should have carried the present point by their help, and rendered them odious by their concurring in it, would strengthen themselves at court by entering into the episcopal interest, and trying to introduce episcopacy into Scotland ; which would be soon brought about, if the presbyterians should once lose their popularity : these were the methods and reasonings that were used on both hands.

The parliament was brought together on the 9th of June ; at the opening the session duke

Hamilton read a paper, importing, that this was not a legal parliament, since the only ends for which they were impowered to meet, were already obtained; the queen was obeyed, religion was secured, and the peace of the country was settled; so there seemed to be no occasion for their continuance. Upon which he and seventy-four more withdrew; but one hundred and twelve members continued to sit, and voted themselves to be a free and legal parliament, and declared, that pursuant to their ancient laws, it was high treason to impugn their authority. They ratified all acts made in favour of presbyterian government, in which they proceeded with such violence, that sir Alexander Bruce moving, that all those acts might be read, for he believed some of them might be found inconsistent with monarchy, he was for that expelled the house. They by one act recognized the queen's title; by another, they impowered her to name commissioners to treat of the union of the two kingdoms: and by a third, they gave a tax sufficient to keep up the force that was then in Scotland for two years longer; and so the parliament was brought to a quiet conclusion.

Ireland was put under lords justices, named by the earl of Rochester, and the trustees continued still in their former authority.

While our affairs were in this posture at home, the first step that was made beyond sea, was by the house of Hanover; it had been concerted with the late king before his sickness, and was set on foot the week he died. The design was well laid, and the execution was managed with great secrecy: the old duke of Zell, and his nephew the elector of Brunswick, went in person with an army that was rather inferior in strength to that of the dukes of Wolfenbuttel; they entered their country, while their troops were dispersed in their quarters; they surprised some regiments of horse, and came and invested both Wolfenbuttel and Brunswick at once, and cut off all communication between them; having them at this disadvantage, they required them to concur in the common councils of the empire, to furnish their quota for its defence, and to keep up no more troops than were consistent with the safety of their neighbours; for it was well known, that the greatest part of their men were subsisted with French pay, and that they had engaged themselves to declare for France, as soon as it should be required. Duke Rodolph, the elder brother, was a learned and pious prince; but as he was never married, so he had turned over the government to the care of his brother duke Anthony, who was a prince of a temper very much different from his brother's: he could not bear the advancement of the house of Hanover; so in opposition to them, he went into the interests of France; but being thus surprised, he went away in discontent, and his brother broke through all those measures in which he had involved himself; in conjunction with duke Anthony, the duke of Saxe Gotha had entered into the same engagements with France; but was now forced to fall into the common interests of the empire.

Thus all the north of Germany was united, and ready to declare against France; only the war in Poland was so near them, that they were obliged to continue armed, and see the issue of that war: the king of Sweden was engaged in it, with such a determined opposition to king Augustus, that there was no hope of treating a peace, though it was endeavoured both by England and the States: the king of Sweden seemed to have accustomed himself to fatigue and danger, so that he grew to love both; and though the Muscovites had fallen upon the frontiers of Sweden, where they had gained some advantages, yet even that could not divert him from carrying on the war in Poland. A diet was summoned there, but it broke up in confusion, without coming to any conclusion, only they sent ambassadors to the king of Sweden to treat of a peace. The king of Prussia was very apprehensive of the consequences of this war, which was now in the neighbourhood of Prussia; and the king of Sweden threatened to invade Saxony with the troops that he had in Pomerania, which could not be done, but through his territories. The king of Sweden delayed giving audience to the ambassadors of Poland; and marched on to Warsaw; so the king of Poland retired to Cracow, and summoned those palatines who adhered to him, to come about him: when the king of Sweden came to Warsaw, he sent to the cardinal to summon a diet for choosing a new king; this went further than the resentments of the Poles yet carried them: but the rest of this matter will appear hereafter.

All Germany was now united, only the two brothers of Bavaria. The court of Vienna

set on foot several negotiations with the elector of Bavaria, but all to no purpose: for that elector seemed only to hearken to their propositions, that he might make the better terms with France: the elector of Cologne put Liege, and all the places that he had on the Rhine, except Bonn, into the hands of the French; it was said, that he kept Bonn, hoping to be able to make his peace with the emperor, by putting that into his possession; but he was prevailed on afterwards to deliver that likewise to the French. In this the elector acted against the advice of all his council; and as the dean of Liege was making some opposition to him, he was seized on, and carried away prisoner in a barbarous manner; the elector, to excuse his letting the French into his country, pretended, he only desired the assistance of some of the troops of the circle of Burgundy to secure his dominions; for as France was not ashamed of the slightest pretences, so she taught her allies to make excuses unbecoming the dignity of princes.

The first step of this war was to be made in the name of the elector Palatine, in the siege of Keiserwert, which, whilst in the enemy's hands, exposed both the circle of Westphalia, and the States' dominions; for their places on the Waal, being in no good condition, were laid open to the excursions of that garrison. Negotiations were still carried on in several courts: Methuen was sent to try the court of Portugal; he came quickly back with full assurances of a neutrality, and a freedom of trade in their ports; insinuations were given of a disposition to go further, upon a better prospect and better terms; so he was presently sent back to drive that matter as far as it would go. The pope pretended he would keep the neutrality of a common father, but his partiality to the French appeared on many occasions; yet the court of Vienna had that veneration for the see, that they contented themselves with expostulating, without carrying their resentments further. The Venetians and the great duke followed the example set them by the pope, though the former did not escape so well, for their country suffered on both hands.

The Prince of Baden drew together the troops of the empire; he began with blocking up Landau, and that was soon turned to a siege; Catinat was sent to command the French army in Alsace, but it was so weak, that he was not able to make head with it. In the end of April, the Dutch formed three armies; one under the prince of Nassau, undertook the siege of Keiserwert; another was commanded by the earl of Athlone, and lay in the duchy of Cleve, to cover the siege; a third, commanded by Cohorn, broke into Flanders, and put a great part of that country under contribution. Mareschal Boufflers drew his army together, and having laid up great magazines in Ruremonde and Venlo, he passed the Maes with his whole army. The duke of Burgundy came down post from Paris to command it; the States apprehended that so great a prince would, at his first appearance, undertake somewhat worthy of him, and thought the design might be upon Maestricht; so they put twelve thousand men in garrison there; the auxiliary troops from Germany did not come so soon as was expected, and cross winds stopped a great part of our army; so that the earl of Athlone was not strong enough to enter into action with Mareschal Boufflers; but he lay about Cleve, watching his motions. The siege of Keiserwert went on slowly; the Rhine swelling very high, so filled their trenches, that they could not work in them. Mareschal Tallard was sent to lie on the other side of the Rhine, to cannonade the besiegers, and to send fresh men into the town: the king of Prussia came to Wezel, from whence he furnished the besiegers with all that was necessary. There was one vigorous attack made, in which many were killed on both sides: in conclusion, after a brave defence, the counterscarp was carried, and then the town capitulated, and was rased according to agreement. When the duke of Burgundy saw that the siege could not be raised, he tried to get between the earl of Athlone and Nimeguen: the design was well laid, and wanted little of being punctually executed; it must have had fatal effects had it succeeded; for the French would either have got into Nimeguen, or have forced the earl of Athlone to fight at a great disadvantage. But the earl of Athlone so carefully watched their motions, that he got before them, under the cannon of Nimeguen; yet by this means he was forced to abandon Cleve. The French discharged their fury upon that town, and on the park, and all the delicious walks of that charming place, little to the honour of the prince who commanded the army; for upon such occasions, princes are apt to be civil to one another, and not to make havoc of such embel-



ishments as can be of no use to them. The earl of Athlone's conduct on this occasion raised his credit as much as it sunk Boufflers', who, though he had the superior army, animated by the presence of so great a prince, yet was able to do nothing, but was unsuccessful in every thing that he designed; and his parties, that at any time were engaged with those of the earl of Athlone, were beaten almost in every action\*.

Soon after this the earl of Marlborough came over and took the command of the army. The earl of Athlone was set on by the other Dutch generals to insist on his quality of *velt marshal*, and to demand the command by turns: he was now in high reputation by his late conduct, but the States obliged him to yield this to the earl of Marlborough, who indeed used him so well that the command seemed to be equal between them. The earl of Athlone was always inclined to cautious and sure, but feeble, counsels; but the earl of Marlborough, when the army was brought together, finding his force superior to the duke of Burgundy, passed the Maes at the Grave, and marched up to the French. They retired as he advanced: this made him for venturing on a decisive action; but the Dutch apprehended the putting things to such a hazard, and would not consent to it. The pensioner, and those who ordered matters at the Hague, proceeded the more timorously, because, upon the king's death, those who had always opposed him were beginning to form parties, in several of their towns, and were designing a change of government: so that a public misfortune in their conduct, would have given great advantages to those who were watching for them. The pensioner was particularly aimed at: this made him more unwilling to run any risk. Good judges thought that if the earl of Marlborough's advices had been followed, matters might have been brought to a happy decision; but as he conducted the army prudently, so he was careful not to take too much upon him. The duke of Burgundy finding himself obliged to retreat as the confederate army advanced, thought this was not suitable to his dignity; so he left the army, and ended his first campaign very ingloriously: and it seems the king was not satisfied with *mareschal Boufflers*, for he never commanded their armies since that time†. The earl of Marlborough went on, taking several places, which made little or no resistance; and seeing that *mareschal Boufflers* kept at a safe distance, so that there was no hope of an engagement with him, he resolved to fall into the Spanish Guelder: he began with Venlo. There was a fort on the other side of the river that commanded it, which was taken by the lord Cutts in so gallant a manner, that it deserved to be much commended by every body but himself: but he lost the honour that was due to many brave actions of his, by talking too much of them. The young earl of Huntington showed upon this, as upon many other occasions, an extraordinary heat of courage. He called to the soldiers, who had got over the pallisades, to help him over, and promised them all the money he had about him, which he performed very generously, and led them on with much bravery and success. Upon the fort being taken, the town capitulated. Ruremonde and Stevenzwert were taken in a few days after; for *mareschal Boufflers* did not come to their relief. Upon these successes, that came quicker than was expected, the earl of Marlborough advanced to Liege, which was a place of more importance, in which he might put a great part of his army in winter quarters. The town quickly capitulated, the citadel was carried by storm, and another fort in the town likewise surrendered. Here was a very prosperous campaign: many places were taken with little resistance, and an inconsiderable loss, either of time or of men. The earl of Marl-

\* Louis Francis, duc de Boufflers, is so frequently mentioned in this work, that some notice of the dates of his life is required. He was born in 1644, and was a soldier from boyhood. Before he was twenty-five, he was a colonel of dragoons, under Crequi and Turenne. His exploits as commander-in-chief were worthy of a great general, and drew forth appropriate compliments from his opponents. It has been stated in a previous part of this work, that when king William took Namur, he detained Boufflers in retaliation for the French having detained the garrison of Dixmude. "Then," said Boufflers, "my garrison, not myself, should be detained." "Sir," it was answered, "you are of more value than

10,000 soldiers." He defended Lille for four months against prince Eugene, and the latter told him, "I am vain of taking the town, but I would rather have the glory of defending it as you have." For this service it was that Boufflers was raised to the peerage; and on entering the parliament, surrounded by his officers, he turned and said to them, "It is to you I am indebted for all these favours; I have nothing to glory in but the honour of having commanded so many heroes." He died in 1711.—*Moreri's Hist. Dictionary*.

† He did subsequently, as is noticed in the previous note, and, with M. Villars at the battle of Malp'aquet, in 1709.

engaged, and continued firm to the interests of France. Mareschal Villars\*, who commanded the French army in Alsace, had orders to break through the Black Forest, and join the Bavarians. His army was much superior to the prince of Baden, but the latter had so posted himself that, after an unsuccessful attempt, Villars was forced to return to Strasburg.

In Italy the duke of Vendome began with the relief of Mantua, which was reduced to great extremities by the long blockade prince Eugene had kept about it. He had so fortified the Oglio, that the duke of Vendome†, apprehending the difficulty of forcing his posts, marched through the Venetian territories (notwithstanding the protestations of the republic against it), and came to Goito, with a great convoy for Mantua. Prince Eugene drew his army all along the Mantuan Fossa, down to Borgofortes: he was forced to abandon a great many places; but apprehending that Bresello might be besieged, and considering the importance of that place, he put a strong garrison in it. He complained much that the court of Vienna seemed to forget him, and did not send him the reinforcements they had promised. It was thought that his enemies at that court, under colour of supporting the king of the Romans in his first campaign, were willing to neglect every thing that related to him; by this means the best army the emperor ever had was left to moulder away to nothing.

King Philip took a very extraordinary resolution of going over to Italy, to possess himself of the kingdom of Naples, and to put an end to the war in Lombardy: he was received at Naples with outward splendour, but he made little progress in quieting the minds of that unruly kingdom. He did not obtain the investiture of it from the pope, though he sent him a cardinal legate with a high compliment. The Germans thought this was too much, while the French thought it was not enough; yet upon it the emperor's ambassador left Rome. King Philip was conducted from Naples to Final by the French fleet that had carried him from Barcelona to Naples. As he was going to command the duke of Vendome's army, he was met by the duke of Savoy, of whom there was some jealousy, that, having married his two daughters so greatly, he began now to discern his own distinct interest, which called upon him to hinder the French from being masters of the Milanese. King Philip wrote to the duke of Vendome not to fight prince Eugene till he could join him. He seemed jealous lest that prince should be driven out of Italy before he could come to share in the honour of it; yet, when he came, he could do nothing, though prince Eugene was miserably abandoned by the court of Vienna. Count Mansfield, president of the council of war, was much suspected as corrupted by France. The supplies promised were not sent into Italy. The apprehensions they were under of the elector of Bavaria's declaring, some time before he did it, gave a colour to those who were jealous of prince Eugene's glory, to detain the recruits and troops that had been promised him for the emperor's own defence. But though he was thus forsaken, yet he managed the force he had about him with great skill and conduct. When he saw Luzara was in danger, he marched up to the king of Spain, and, as that king very oddly expressed it, in a letter to the king of France, he had the boldness (*audace*) to attack him; but, which was worse, he had the boldness likewise to beat him; and, if he had not been shut in by rivers, and the narrowness of the ground, very probably he would have carried the advantage he had in that engagement much further. The ill state of his affairs forced him upon that desperate action in which he succeeded beyond expectation. It put the French to such a stand, that all they could do after this was only to take Luzara, and some other considerable places; but prince Eugene still kept his posts. King Philip left the army and returned, after an inglorious campaign, into Spain, where the grandees were much disgusted to see themselves so much despised, and their affairs wholly conducted by French councils. The French tried, by all possible methods, to engage the Turks in a new war with the emperor: and it was believed that the grand vizier was entirely gained, though the mufti,

\* Louis Hector, duc de Villars, was born in 1653, and died in 1734. He wrote his own "Memoirs," which have been published with a continuation, and give much information concerning this continental war.

† Of Lewis Joseph, duc de Vendome, there is a good memoir in the Dictionnaire Historique. He was born in 1654, and died in 1712.

and all who had any credit in that court, were against it. The grand vizier was strangled, and so this design was prevented.

The court of France was in a management with the cardinal primate of Poland to keep that kingdom still embroiled. The king of Sweden marched on to Cracow, which was much censured as a desperate attempt, since a defeat there must have destroyed him and his army entirely, being so far from home. He attacked the king of Poland, and gave him such an overthrow, that, though the army got off, he carried both their camp and artillery. He possessed himself of Cracow, where he stayed some months, till he had raised all the money they could produce; and though the Muscovites with the Lithuanians destroyed Livonia, and broke into Sweden, yet that could not call him back. The duke of Holstein, who had married his eldest sister, was thought to be gained by the French to push on this young king to prosecute the war with such an unrelenting fury, in which he might have a design for himself, since the king of Sweden's venturing his own person so freely might make way for his duchess to succeed to the crown. That duke was killed in the battle of Cracow. There was some hopes of peace this winter, but the two princes were so exasperated against one another, that it seemed impossible to compose that animosity. This was very unacceptable to the allies; for both kings were well inclined to support the confederacy, and to engage in the war against France, if their own quarrels could have been made up. The king of Sweden continued still so virtuous and pious in his whole deportment, that he seemed formed to be one of the heroes of the Reformation. This was the state of affairs on the continent during this campaign.

One unlooked for accident sprung up in France. An insurrection happened in the Cevennes in Languedoc; of which I can say nothing that is very particular, or well assured. When it first broke out, it was looked on as the effect of oppression and despair, which would quickly end in a scene of blood; but it had a much longer continuance than was expected; and it had a considerable effect on the affairs of France: for an army of ten or twelve thousand men, who were designed either for Italy or Spain, was employed without any immediate success in reducing them.

I now change the element, to give an account of our operations at sea. Rook had the command. The fleet put to sea much later than we hoped for. The Dutch fleet came over about a month before ours was ready: the whole consisted of fifty ships of the line, and a land army was put on board, of twelve thousand men, seven thousand English and five thousand Dutch. Rook spoke so coldly of the design he went upon before he sailed, that those who conversed with him were apt to infer that he intended to do the enemy as little harm as possible. Advice was sent over from Holland of a fleet that sailed from France, and was ordered to call in at the Groyne. Munden was recommended by Rook to be sent against this fleet; but, though he came up to them with a superior force, yet he behaved himself so ill, and so unsuccessfully, that a council of war was ordered to sit on him. They indeed acquitted him, some excusing themselves, by saying, that if they had condemned him, the punishment was death; whereas they thought his errors flowed from a want of sense: so that it would have been hard to condemn him for a defect in that which nature had not given him. Those who recommended him to the employment seemed to be more in fault. This acquittal raised such an outcry that the queen ordered him to be broke. Rook, to divert the design that he himself was to go upon, wrote from St. Helen's that the Dutch fleet was victualled only to the middle of September. So that, being then in July, no great design could be undertaken, when so large a part of the fleet was so ill provided. When the Dutch admiral heard of this, he sent to their ambassador, to complain to the queen of this misinformation; for he was victualled till the middle of December. They were for some time stopped by contrary winds, accidents, and pretences, many of which were thought to be strained and sought for; but the wind being turned wholly favourable after some cross winds, which had rendered their passage slow and tedious, they came, on the 12th of August, into the bay of Cadiz. Rook had laid no disposition beforehand how to proceed upon his coming thither. Some days were lost on pretence of seeking for intelligence. It is certain our court had false accounts of the state the place was in, both with



relation to the garrison and the fortifications: the garrison was much stronger, and the fortifications were in a better condition, than was represented. The French men of war and the galleys that lay in the bay retired within the puntals. In the first surprise it had been easy to have followed them, and to have taken or burnt them, which Fairborn offered to execute, but Rook and the rest of his creatures did not approve of this. Some days were lost before a council of war was called. In the meanwhile the duke of Ormond sent some engineers and pilots to sound the south side of Cadiz, near the island of St. Pedro; but while this was doing, the officers, by the taking of some boats, came to know that those of Cadiz had sent over the best of their goods and other effects to the port of St. Maries, an open village over against it, on the continent of Spain; so that here was good plunder to be had easily, whereas the landing on the isle of Cadiz was likely to prove dangerous, and, as some made them believe, impracticable. In the council of war, in which their instructions were read, it was proposed to consider how they should put them in execution. O'Haro, one of the general officers, made a long speech against landing: he showed how desperate an attempt it would prove, and how different they found the state of the place from the representation made of it in England. The greater number agreed with him; and all that the duke of Ormond could say to the contrary was of no effect. Rook seemed to be of the same mind with the duke, but all his dependents were of another opinion, so this was thought to be a piece of craft in him. In conclusion, the council of war came to a resolution not to make a descent on the island of Cadiz; but, before they broke up, those whom the duke had sent to sound the landing places on the south side came and told them that, as they might land safely, so the ships might ride securely on that side: yet they had no regard to this, but adhered to their former resolution: nor were there any orders given for bombarding the town. The sea was for the most part very high while they lay there, but it was so calm for one day, that the engineers believed they could have done much mischief, but they had no orders for it; and indeed it appeared very evidently that they intended to do nothing but rob St. Maries.

A landing on the continent was resolved on, and though the sea was high, and the danger great, yet the hope of spoil made them venture on it. They landed at Rota: a party of Spanish horse seemed to threaten some resistance, but they retired, and so our men came to St. Maries, which they found deserted, but full of riches. Both officers and soldiers set themselves with great courage against this tempting but harmless enemy. Some of the general officers set a very ill example to all the rest, chiefly O'Haro and Bellasis. The duke of Ormond tried to hinder it, but did not exert his authority; for, if he had made some examples at first, he might have prevented the mischief that was done. But the whole army running so violently on the spoil, he either was not able, or, through a gentleness of temper, was not willing, to proceed to extremities. He had published a manifesto, according to his instructions, by which the Spaniards were invited to submit to the emperor; and he offered his protection to all that came in to him: but the spoil of St. Maries was thought an ill commentary on that text. After some days of unfruitful trials on the forts of that side it appeared that nothing could be done; so about the middle of September they all embarked. Some of the ships' crews were so employed, in bringing and bestowing the plunder, that they took not the necessary care to furnish themselves with fresh water. Rook, without prosecuting his other instructions, in case the design on Cadiz miscarried, gave orders only for a squadron to sail to the West Indies with some land forces; and though he had a fleet of victuallers that had provisions to the middle of December, he ordered them to sail home: by this means the men of war were so scantily furnished, that they were soon forced to be put on short allowance. Nor did Rook send advice boats, either to the ports of Algarve or to Lisbon, to see what orders or advices might be lying for him, but sailed in a direct course for England; but some ships, not being provided with water for the voyage to England, touched on the coast of Algarve to take in water.

They met with intelligence there that the Spanish plate fleet, with a good convoy of French men of war, had put in at Vigo, a port in Galicia, not far from Portugal, where the entrance was narrow and capable of a good defence. It widened within land into a bay or mouth of a river, where the ships lay very conveniently. He who commanded the French

fleet ordered a boom to be laid across the entrance, and forts to be raised on both sides: he had not time to finish what he designed, otherwise the place had been inaccessible; but, as it was, the difficulty in forcing this port was believed to be greater than any they would have met with if they had landed on the isle of Cadiz. As soon as this fleet had put in at Vigo, Methuen, the queen's minister at Lisbon, sent advertisements of it to all the places where he thought our advice-boats might be ordered to call. Rook had given no orders for any to call, and so held on his course towards Cape Finisterre. But one of his captains, Hardy, whilst he watered in Algarve, heard the news there; upon which he made all the sail he could after Rook, and overtook him. Rook, upon that, turned his course towards Vigo, very unwillingly as was said, and, finding the advice was true, he resolved to force his way in.

The duke of Ormond landed with a body of the army, and attacked the forts with great bravery, while the ships broke the boom and forced the port. When the French saw what was done, they left their ships, and set some of the men-of-war and some of the galleons on fire. Our men came up with such diligence that they stopped the progress of the fire; yet fifteen men-of-war and eight galleons were burnt or sunk: but our men were in time to save five men-of-war and five galleons, which they took. Here was a great destruction made, and a great booty taken, with very little loss on our side. One of our ships was set on fire by a fire-ship, but she too was saved, though with the loss of some men, which was all the loss we sustained in this important action. The duke of Ormond marched into the country and took some forts, and the town of Ritondella, where much plunder was found: the French seamen and soldiers escaped, for we, having no horse, were not in a condition to pursue them. The Spaniards appeared at some distance in a great body, but they did not offer to enter into any action with the duke of Ormond. It appeared that the resentments of that proud nation, which was now governed by French councils, were so high, that they would not put themselves in any danger, or to any trouble, even to save their own fleet, when it was in such hands.

After this great success, it came under consultation, whether it was not advisable to leave a good squadron of ships, with the land forces, to winter at Vigo. The neighbourhood of Portugal made that they could be well furnished with provisions and all other necessities from thence. This might also encourage that king to declare himself, when there was such a force and fleet lying so near him. It might likewise encourage such of the Spaniards as favoured the emperor to declare themselves, when they saw a safe place of retreat and a force to protect them. The duke of Ormond, upon these considerations, offered to stay if Rook would have consented; but he excused it: he had sent home the victuallers with the stores, and so he could not spare what was necessary for such as would stay there: and indeed he had so ordered the matter, that he could not stay long enough to try whether they could raise and search the men-of-war and the galleons that were sunk. He was obliged to make all possible haste home; and if the wind had turned to the east, which was ordinary in that season, a great part of our ships' crews must have died of hunger.

The wind continued favourable, so they got home safe, but half starved. Thus ended this expedition, which was ill projected, and worse executed. The duke of Ormond told me he had not half the ammunition that was necessary for the taking Cadiz, if they had defended themselves well; though he believed they would not have made any great resistance, if he had landed on his first arrival, and not given them time to recover from the disorder into which the first surprise had put them. A great deal of the treasure taken at Vigo was embezzled, and fell into private hands\*. One of the galleons foundered at sea. The public was not much enriched by this extraordinary capture, yet the loss our enemies made by it was a vast one; and, to complete the ruin of the Spanish merchants, their king seized on the plate that was taken out of the ships, upon their first arrival at Vigo. Thus the campaign ended; very happily for the allies, and most gloriously for the queen, whose first year, being such a continued course of success, gave a hopeful presage of what might be hereafter expected.

\* At Stowe, the seat of the duke of Buckingham, is a large chest, inlaid with mother of pearl, and called "The Vigo Chest." It is said to have contained treasure, and was brought here by sir Peter Temple, one of queen Anne's generals.

The session of parliament comes next to be related. The queen did not openly interpose in the elections, but her inclination to the tories appearing plainly, all people took it for granted that she wished they might be the majority. This wrought on the inconstancy and servility that is natural to multitudes; and the conceit, which had been infused and propagated with much industry, that the whigs had charged the nation with great taxes, of which a large share had been devoured by themselves, had so far turned the tide, that the tories in the house of commons were at least double the number of the whigs. They met full of fury against the memory of the late king, and against those who had been employed by him. The first instance wherein this appeared was in their address to the queen, congratulating her great successes: they added, that, by her wise and happy conduct, the honour of the kingdom was "retrieved." The word "retrieved" implying that it was formerly lost: all that had a just regard to the king's memory opposed it. He had carried the honour of the nation further than had been done in any reign before his. To him they owed their preservation, their safety, and even the queen's being on the throne. He had designed and formed that great confederacy, at the head of which she was now set. In opposition to this, it was now said that, during his reign, things had been conducted by strangers, and trusted to them; and that a vast treasure had been spent in unprofitable campaigns in Flanders. The Partition Treaty, and every thing else with which the former reign could be loaded, was brought into the account, and the keeping the word "retrieved" in the address was carried by a great majority; all that had favour at court, or hoped for any, going into it\*. Controverted elections were judged in favour of tories with such a barefaced partiality, that it shewed the party was resolved on every thing that might serve their ends.

Of this I shall only give two instances. The one was of the borough of Hindon, near me at Salisbury, where, upon a complaint of bribery, the proof was so full and clear, that they ordered a bill to disfranchise the town for that bribery; and yet, because the bribes were given by a man of their party, they would not pass a vote on him as guilty of it: so that a borough was voted to lose its right of electing, because many in it were guilty of a corruption, in which no man appeared to be the actor. The other was of more importance; and, because it may be set up for a precedent, I will be more particular in the report. Mr. John How had been vice-chamberlain to the late queen, but missing some of those advantages that he had proposed to himself, he had gone into the highest opposition that was made in the house of commons to the court during the last reign; not without many indecent reflections on the person of the late king, and a most virulent attacking of all his ministers. He was a man of some wit, but of little judgment, and of small principles of religion: he stood knight of the shire for Gloucestershire, and had drawn a party in that county to join with him in an address to the queen, in which reflections were made on the danger and ill usage she had gone through in the former reign. This address was received by the queen in so particular a manner, that it looked like the owning that the contents of it were true: but she made such an excuse for this, when the offence it gave was laid before her, that probably she was not acquainted with the matter of the address when she so received it. Upon this, great opposition was made to his election. When it came to the poll, it appeared he had lost it; so the sheriff was moved for a scrutiny, to examine whether all those who had sworn that they were freeholders of forty shillings a-year had sworn true. By the act of parliament the matter was referred to the party's oath, and their swearing false was declared perjury; therefore such as had sworn falsely were liable to a prosecution: but, by all laws, an oath is looked upon as an end of controversy, till he who swore is convicted of perjury: and the sheriff, being an officer named by the court, if he had a power to review the poll, this put the election of counties wholly in the power of the crown: yet, upon this occasion, the heat of a party prevailed so far, that they voted How duly elected†.

\* It was proposed to substitute the word "maintained," but, after a stormy debate, this was negatived by 180 to 80.—Chandler's Debates, House of Commons, iii. 205.

† Mr. John How was a native of Nottinghamshire. He represented Cirencester in the convention parliament, and was a member in every parliament during the reigns

of William and Anne. In the latter, he was a privy councillor, and vice-admiral of Gloucestershire. His other preferment will be notice! in a future page. He died in 1721. He was the author of "A Panegyric on King William," and several minor productions.—Collier's Peerage.



The house of commons very unanimously, and with great dispatch, agreed to all the demands of the court, and voted all the supplies that were necessary for carrying on the war. Upon the duke of Marlborough's coming over, a new demand for an additional force was made, since the king of France had given out commissions for a great increase of his armies. Upon that, the States moved the queen for ten thousand more men. This was consented to, but with a condition, which, how reasonable soever it might be in itself, yet the manner in which it was managed showed a very ill disposition towards the Dutch; and in the debate they were treated very indecently. It was insisted on that, before the pay of these new troops should begin, the States should prohibit all trade with France, and break off all correspondence with that kingdom. It was indeed true, that France could not have supplied their armies in Italy but by the means of this secret trade; so it was reasonable to break it: but the imposing it on the Dutch, in the manner in which this was pressed, carried in it too high a strain of authority over them. There is a country that subsists not by any intrinsic wealth of their own, but by their trade: some seemed to hope that the opposition, which would be raised on this head, might force a peace, at which many among us were driving so indecently, that they took little care to conceal it. The States resolved to comply with England in every thing; and though they did not like the manner of demanding this, yet they readily consented to it. The ordinary business of a session of parliament was soon dispatched, no opposition being made to the supply, at which, in the former reign, things stuck longest.

When those matters were settled, a bill was brought in by the tories against occasional conformity, which produced great and long debates\*. By this bill, all those who took the sacrament and test (which, by the act passed in the year 1673, was made necessary to those who held offices of trust, or were magistrates in corporations, but was only to be taken once by them), and did after that go to the meetings of dissenters, or any meeting for religious worship, that was not according to the liturgy or practice of the church of England, where five persons were present more than the family, were disabled from holding their employments, and were to be fined in 100*l.* and in 5*l.* a day for every day in which they continued to act in their employments, after their having been at any such meeting. They were also made incapable to hold any other employment till after one whole year's conformity to the church, which was to be proved at the quarter session. Upon a relapse, the penalty and the time of incapacity were doubled: no limitation of time was put in the bill, nor of the way in which the offence was to be proved. But, whereas the act of the test only included the magistrates in corporations, all the inferior officers or freemen in corporations, who were found to have some interest in the elections, were now comprehended within this bill. The preamble of the bill asserted the toleration, and condemned all persecution for conscience' sake in a high strain. Some thought the bill was of no consequence, and that, if it should pass into a law, it would be of no effect; but that the occasional conformists would become constant ones. Others thought that this was such a breaking in upon the toleration as would undermine it, and that it would have a great effect on corporations; as indeed the intent of it was believed to be the modelling of elections, and by consequence of the house of commons.

On behalf of the bill, it was said the design of the test act was, that all in office should continue in the communion of the church: that coming only once to the sacrament for an office, and going afterwards to the meetings of dissenters, was both an eluding the intent of the law and a profanation of the sacrament, which gave great scandal, and was abhorred by the better sort of dissenters. Those who were against the bill said, the nation had been quiet ever since the toleration, the dissenters had lost more ground and strength by it than the church. The nation was now engaged in a great war; it seemed therefore unseasonable to raise animosities at home in matters of religion, at such a time, and to encourage a tribe of informers who were the worst sort of men. The fines were excessive, higher than any laid on papists by law; and since no limitation of time, nor concurrence of witnesses, was provided for in the bill, men would be for ever exposed to the malice of a bold swearer, or wicked servant. It was moved, that since the greatest danger of all was from atheists and papists, that all such as received the sacrament for an office, should be obliged to receive it

\* See these proceedings in Chandler's Debates, House of Commons, iii.

three times a-year, which all were by law required to do ; and to keep to their parish church at least one Sunday a month, but this was not admitted. All who pleaded for the bill did in words declare for the continuance of the toleration, yet the sharpness with which they treated the dissenters in all their speeches showed as if they designed their extirpation. The bill was carried in the house of commons by a great majority. The debates held longer in the house of lords : many were against it, because of the high penalties : some remembered the practice of informers in the end of king Charles's reign, and would not consent to the reviving such infamous methods : all believed that the chief design of this bill was to model corporations and to cast out of them all those who would not vote in elections for tories. The toleration itself was visibly aimed at, and this was only a step to break in upon it. Some thought the design went yet further, to raise such quarrels and distractions among us as would so embroil us at home, that our allies might see they could not depend upon us ; and that we, being weakened by the disorders occasioned by those prosecutions, might be disabled from carrying on the war, which was the chief thing driven at by the promoters of the bill. So that many of the lords, as well as the bishops, agreed in opposing this bill, though upon different views ; yet they consented to some parts of it, chiefly that such as went to meetings, after they had received the sacrament, should be disabled from holding any employments, and be fined in twenty pounds. Many went into this, though they were against every part of the bill, because they thought this the most plausible way of losing it ; since the house of commons had of late set it up for a maxim, that the lords could not alter the fines that they should fix in a bill, this being a meddling with money, which they thought was so peculiar to them, that they would not let the lords on any pretence break in upon it.

The lords hereupon appointed a very exact search to be made into all the rolls that lay in the clerk of the parliament's office, from the middle of king Henry the Seventh's reign down to the present time ; and they found, by some hundreds of precedents, that in some bills the lords began the clauses that set the fines ; and that when fines were set by the commons sometimes they altered the fines, and at other times they changed the use to which they were applied. The report made of this was so full and clear, that there was no possibility of replying to it, and the lords ordered it to be entered in their books. But the commons were resolved to maintain their point without entering into any debate upon it. The lords also added clauses requiring proof to be made by two witnesses, and that the information should be given in within ten days, and the prosecution commenced within three months after the fact. The commons agreed to this, but would not alter the penalties that they had set. The thing depended long between the two houses ; both sides took pains to bring up the lords that would vote with them, so that there were above a hundred and thirty lords in the house, the greatest number that had ever been together.

The court put their whole strength to carry the bill. Prince George, who had received the sacrament as lord high admiral, and yet kept his chapel in the Lutheran way, so that he was an occasional communicant, came and voted for the bill. After some conferences, wherein each house had yielded some smaller differences to the other, it came to a free conference in the painted chamber, which was the most crowded upon that occasion that had ever been known ; so much weight was laid on this matter on both sides.

When the lords retired, and it came to the final vote "of adhering," the lords were so equally divided, that in three questions, put on different heads, the "adhering" was carried but by one voice in every one of them ; and it was a different person that gave it in all the three divisions. The commons likewise adhered, so the bill was lost. This bill seemed to favour the interests of the church, so hot men were for it ; and the greater number of the bishops being against it, they were censured as cold and slack in the concerns of the church, a reproach that all moderate men must expect when they oppose violent motions. A great part of this fell on myself ; for I bore a large share in the debates, both in the house of lords and at the free conference. Angry men took occasion from hence to charge the bishops as enemies to the church, and betrayers of its interests, because we would not run blindfold into the passions and designs of ill-tempered men ; though we can appeal to all the world, and, which is more, to God himself, that we did faithfully and zealously pursue the true

interests of the church, the promoting religion and learning, the encouraging of all good men and good designs, and that we did apply ourselves to the duties of our function and to the work of the gospel. Having this quiet within ourselves, we must bear the cross and submit to the will of God. The less of our reward that we receive from men, we have so much the more to look for from Him.

While the bill that had raised so much heat was in agitation, the queen sent a message to the commons, desiring them to make some suitable provision for prince George, in case he should outlive her. He was many years elder than the queen, and was troubled with an asthma that every year had very ill effects on his health; it had brought him into great danger this winter, yet the queen thought it became her to provide for all events. Howe moved that it should be 100,000*l.* a-year. This was seconded by those who knew how acceptable the motion would be to the queen, though it was the double of what any queen in England ever had in jointure; so it passed without any opposition. But while it was passing, a motion was made upon a clause in the act, which limited the succession to the Hanover family, which provided against strangers, though naturalized, being capable to hold any employments among us. This plainly related only to those who should be naturalized in a future reign, and had no retrospect to such as were already naturalized, or should be naturalized during the present reign. It was, however, proposed as doubtful whether, when that family might reign, all who were naturalized before should not be incapacitated by that clause from sitting in parliament, or holding employments; and a clause was offered to except the prince from being comprehended in that incapacity. Against this two objections lay: one was, that the lords had resolved by a vote, to which the greater number had set their hands, that they would never pass any money bill sent up to them by the commons, to which any clause was tacked that was foreign to the bill. They had done this to prevent the commons from fastening matters of a different nature to a money bill, and then pretending that the lords could not meddle with it; for this was a method to alter the government and bring it entirely into their own hands. By this means, when money was necessary for preserving the nation, they might force not only the lords, but the crown, to consent to every thing they proposed by tacking it to a money bill. It was said that a capacity for holding employments, and for sitting in the house of lords, were things of a different nature from money; so that this clause seemed to many to be a tack, whereas others thought it was no tack, because both parts of the act related to the same person. The other objection was, that this clause seemed to imply, that persons already naturalized, and in possession of the rights of natural born subjects, were to be excluded in the next reign; though all people knew that no such thing was intended when the act of succession passed. Great opposition was made for both these reasons to the passing this clause; but the queen pressed it with the greatest earnestness she had yet shewed in any thing whatsoever: she thought it became her, as a good wife, to have the act passed; in which she might be the more earnest, because it was not thought advisable to move for an act that should take prince George into a consortship of the regal dignity. This matter raised a great heat in the house of lords: those who had been advanced by the late king, and were in his interests, did not think it became them to consent to this, which seemed to be a prejudice, or at least a disgrace to those whom he had raised. The court managed the matter so dexterously that the bill passed, and the queen was highly displeased with those who had opposed it, among whom I had my share. The clause was put in the bill by some in the house of commons, only because they believed it would be opposed by those against whom they intended to irritate the queen.

Soon after this the commons sent up a bill in favour of those who had not taken the oath, abjuring the prince of Wales, by the day that was named, granting them a year longer to consider of it; for it was said, that the whole party was now come entirely into the queen's interests: though, on the other hand, it was given out that agents were come from France, on design to persuade all persons to take the abjuration, that they might become capable of employments, and so might in time be a majority in parliament, and by that means the act of succession, and the oath imposed by it, might be repealed. When the bill for thus prolonging the time was brought up to the lords, a clause was added, qualifying those persons



who should in the new extent of time take the oaths, to return to their benefices or employments, unless they were already legally filled. When this was agreed, two clauses of much greater consequence were added to the bill. One was, declaring it high treason to endeavour to defeat the succession to the crown, as it was now limited by law, or to set aside the next successor. This had a precedent in the former reign, so it could not be denied now. It seemed the more necessary, because there was another person who openly claimed the crown, so that a further security might well be insisted on. This was a great surprise to many, who were visibly uneasy at the motion, but were not prepared for it, and did not see how it could be resisted. The other clause was for sending the abjuration to Ireland, and obliging all there (in the same manner as in England) to take it. This seemed the more reasonable, considering the strength of the popish interest there. Both clauses passed in the house of lords without any opposition; but it was apprehended that the house of commons would not be so easy: yet, when it was sent to them, they struggled only against the first clause, that barred the return of persons, upon their taking the oaths, into places that were already filled. The party tried their strength upon this, and upon their success in it they seemed resolved to dispute the other clause; but it was carried, though only by one voice, to agree with the lords. When the clause relating to the succession was read, Musgrave tried if it might not be made a bill by itself, and not put as a clause in another bill; but he saw the house was resolved to receive both clauses, so he did not insist on his motion. All people were surprised to see a bill that was begun in favour of the jacobites turned so terribly upon them, since by it we had a new security given, both in England and Ireland, for a protestant successor.

At this time, the earl of Rochester quitted his place of lord-lieutenant of Ireland. He was uneasy at the preference which the duke of Marlborough had in the queen's confidence, and at the lord Godolphin's being lord treasurer. It was generally believed he was endeavouring to embroil our affairs, and that he was laying a train of opposition in the house of commons. The queen sent a message to him, ordering him to make ready to go to Ireland; for it seemed very strange, especially in a time of war, that a person in so great a post should not attend upon it; but he, after some days advising about it, went to the queen, and desired to be excused from that employment. This was readily accepted, and upon that he withdrew from the councils. It was immediately offered to the duke of Ormond, and he was made lord-lieutenant of Ireland. The duke of Ormond, upon his first arrival from the expedition to Cadiz, complained very openly of Rook's conduct, and seemed resolved to carry the matter to a public accusation; but the court found the party that prevailed in the house of commons determined to justify Rook: so, to comply with this, the queen made him a privy councillor; and much pains were taken on the duke of Ormond to stifle his resentments. He was in a great measure softened, yet he had made his complaints to so many lords, that they moved the house to examine both his instructions and the journals relating to that expedition. A committee of the house of peers sat long upon the matter: they examined all the admirals and land officers, as well as Rook himself, upon the whole progress of that affair. Rook was so well supported by the court, and by his party in the house of commons, that he seemed to despise all that the lords could do. Some who understood sea matters said that it appeared, from every motion that he made during the expedition, that he intended to do nothing but amuse and make a show. They also concluded, from the protection that the ministry gave him, that they intended no other. He took much pains to show how improper a thing a descent on Cadiz was, and how fatal the attempt must have proved; and, in doing this, he arraigned his instructions, and the design he was sent on, with great boldness, and showed little regard to the ministers, who took more pains to bring him off than to justify themselves. The lords of the committee prepared a report, which was hard upon Rook, and laid it before the house; but so strong a party was made to oppose every thing that reflected on him, that though every particular in the report was well proved, yet it was rejected, and a vote was carried in his favour, justifying his whole conduct. The great employment given to the duke of Ormond so effectually prevailed on him, that though the enquiry was set on by his means, and upon his suggestions, yet he came not to the house when it was brought to a conclusion. So Rook,

being but faintly pushed by him, and most zealously supported by his party, was justified by a vote, though universally condemned by more impartial judges. The behaviour of the ministry in this matter heightened the jealousies with which many were possessed, for it was inferred that they were not in earnest in his whole expedition; since the conduct being so contrary to the instructions, the justifying the one was plainly condemning the other.

The report made by the commissioners appointed to take the public accounts was another business that took up much time in this session, and occasioned many debates. They pretended that they had made great discoveries: they began with the earl of Ranelagh, who had been in great posts, and had all the arts that were necessary to recommend a man in a court, who stuck at nothing that could maintain his interest with those whom he served: he had been paymaster of the army in king James's time, and, being very fit for the post, he had been continued all the last reign: he had lived high, and so it was believed his appointments could not support so great an expense: he had an account of one and twenty millions lay upon him. It was given out that a great deal of the money, lodged in his office for the pay of the army, was diverted to other uses, distributed among favourites, or given to corrupt members of parliament; and that some millions had been sent over to Holland. It had been often said, that great discoveries would be made, whensoever his accounts were looked into; and that he, to save himself, would lay open the ill practices of the former reign. But now, when all was brought under a strict examination, a few inconsiderable articles of some hundreds of pounds was all that could be found to be objected to him; and even to these he gave clear and full answers. At last they found that, upon the breaking of a regiment, a sum which he had issued out for its pay had been returned to his office, the regiment being broke sooner than that pay was exhausted; and that no entry of this was made in his accounts. To this he answered, that his officer, who received the money, was within three days after taken so ill of a confirmed stone, that he never again came to the office, but died in great misery, and, during those three days, he had not entered that sum in the books. Lord Ranelagh acknowledged that he was liable to account for all the money that was received by his under officers, but here was no crime or fraud designed; yet this was so aggravated, that he saw his good post was his greatest guilt; so he quitted that, which was divided into two: one was appointed to be paymaster of the guards and garrisons at home, and another of the forces that were kept beyond sea. Howe had the first, as being the more lasting post\*. With this all the clamour raised against the earl of Ranelagh was let fall; yet, to make a show of severity, he was expelled the house. But he appeared, upon all this canvassing, to be much more innocent than even his friends had believed him†.

The clamour that had been long kept up against the former ministry, as devourers of the public treasure, was of such use to the party, that they resolved to continue it by all possible methods. So a committee of the house of commons prepared a long address to the queen, reflecting on the ill management of the funds, upon which they laid the great debt of the nation, and not upon the deficiencies. This was branched out into many particulars, which were all heavily aggravated. Yet, though a great part of the outcry had been formerly

\* The second was given to Mr. Fox.—Mackay's Characters.

† Richard Jones, earl of Ranelagh, has been styled "one of the ablest men Ireland ever bred." Mackay's "Characters" describes him as having "a great deal of wit, having originally no great estate, yet hath spent more money, built more fine houses, and laid out more on household furniture and gardening than any other nobleman in England. He is a great epicure, and prodigious expensive; was paymaster all the last war, and is above 100,000*l.* sterling in arrears, which several parliaments have been calling him to account for, yet he escapes with the punishment only of losing his place. He is a bold man, and very happy in jests and repartees, and hath often turned the humour of the house of commons, when they have designed to be very severe. He is very fat, black,

and turned of 60 years old." It is certain that the earl had not honesty sufficient to resist availing himself of any resources that enabled him to live in the splendid extravagance that delighted him, but this must have been sustained by considerable ability, or he could not have succeeded in pleasing such opposite characters as the licentious Charles, the bigotted James, the phlegmatic William, and the pious Anne. But his talents were not rendered amiable by a christian spirit. He never forgave his daughter, lady Coningsby, for marrying contrary to his wishes, and gave the fortune he intended for her to Greenwich Hospital. He died in 1711. His house and gardens at Chelsea became the public place of amusement, formerly so well known as *Ranelagh*.—Clarendon Correspondence; Peerages; Noble's Contin. of Grainger.

made against Russel, treasurer of the navy, and his officer, they found not so much as a colour to fix a complaint there; nor could they charge any thing on the chancery, the treasury, or the administration of justice. Great complaints were made of some accounts that stood long out, and they insisted on some pretended neglects, the old methods of the exchequer not having been exactly followed; though it did not appear that the public suffered in any sort by those failures. They kept up a clamour likewise against the commissioners of the prizes, though they had passed their accounts as the law directed, and no objection was made to them. The address was full of severe reflections and spiteful insinuations; and thus it was carried to the queen, and published to the nation, as the sense of the commons of England.

The lords, to prevent the ill impressions this might make, appointed a committee to examine all the observations that the commissioners of accounts had offered to both houses. They searched all the public offices, and were amazed to find that there was not one article in all the long address that the commons had made to the queen, or in the observations then before them, that was of any importance, but was false in fact. They found the deficiencies in the former reign were of two sorts; the one was of sums that the commons had voted, but for which they had made no sort of provision; the other was where the supply that was given came short of the sum it was estimated at: and between these two the deficiencies amounted to fourteen millions: this was the root of the great debt that lay on the nation. They examined into all the pretended mismanagement, and found that what the commons had stated so invidiously was mistaken. So far had the late king and his ministers been from misapplying the money that was given for public occasions, that he applied three millions to the public service that by law was his own money, of which they made up the account. They also found that some small omissions in some of the forms of the exchequer were of no consequence, and neither had nor could have any ill effect: and whereas a great clamour was raised against passing of accounts by privy seals, they put an end to that effectually, when it appeared on what ground this was done. By the ancient methods of the exchequer, every account was to be carried on, so that the new officer was to begin his account with the balance of the former account. Sir Edward Seymour, who had been treasurer of the navy, owed by his last account 180,000*l.*, and he had received after that 140,000*l.*, for which the accounts were never made up. Now it was not possible for those who came after him to be liable for his accounts. Therefore the treasurers of the navy in the last reign were forced to take out privy seals for making up their accounts. These imported no more than that they were to account only for the money that they themselves had received; for, in all other respects, their accounts were to pass according to the ordinary methods of the exchequer. Complaints had been also made of the remissness of the lords of the treasury, or their officers, appointed to account with the receivers of counties for the aids that had been given: but, when this was examined, it appeared that this had been done with such exactness that, of the sum of twenty-four millions for which they had accounted, there was not owing above 60,000*l.*, and that was for the most part in Wales, where it was not thought advisable to use too much rigour in raising it; and of that sum there was not above 14,000*l.* that was to be reckoned as lost. The collectors of the customs likewise answered all the observations made on their accounts so fully, that the house of commons was satisfied with their answers, and dismissed them without so much as a reprimand. All this was reported to the house of lords, and they laid it before the queen in an address, which was afterwards printed with the vouchers to every particular. By this means it was made out, to the satisfaction of the whole nation, how false those reports were which had been so industriously spread, and were so easily believed by the greater part. For the bulk of mankind will be always apt to think that courts and ministers serve their own ends, and study to enrich themselves at the public cost. This examination held long, and was followed with great exactness, and had all the effect that could be desired from it; for it silenced that noise which the late king's enemies had raised to asperse him and his ministers. With this the session of parliament ended. In it the lords had rendered themselves very considerable, and had gained an universal reputation over the whole nation. It is true, those who had opposed the persons that had carried matters before them in this session were so near them



in number, that things of the greatest consequence were carried only by one or two voices, therefore, as they intended to have a clear majority in both houses in the next session, they prevailed with the queen, soon after the prorogation, to create four new peers, who had been the most violent of the whole party: Finch, Gower, Granville, and young Seymour were made barons. Great reflections were made upon this promotion. When some severe things had been thrown out in the house of commons upon the opposition that they met with from the lords, it was insinuated, that it would be easy to find men of merit and estate to make a clear majority in that house. This was an open declaration of a design to put every thing in the hands and power of that party. It was also an encroachment on one of the tenderest points of the prerogative to make motions of creating peers in the house of commons. Hervey, though of the other side, was at the same time made a baron by private favour. Thus the session of parliament was brought to a much better conclusion than could have been reasonably expected by those, who knew of whom it was constituted and how it had begun. No harm was done in it: the succession was fortified by a new security, and the popular clamours of corruption and peculation, with which the nation had been so much possessed, were in a great measure dissipated.

The proceedings of the convocation, which sat at the same time, are next to be related. At the first opening of it there was a contest between the two houses, that lasted some days, concerning an address to the queen. The lower house intended to cast some reflections on the former reign, in imitation of what the house of commons had done, and these were worded so invidiously, that most of the bishops were pointed at by them; but the upper house refusing to concur, the lower house receded, and so they both agreed in a very decent address. The queen received it graciously, promising all favour and protection to the church, and exhorting them all to peace and union among themselves. After this, the lower house made an address to the bishops, that they might find an expedient for putting an end to those disputes, that had stopped the proceedings of former convocations. The bishops resolved to offer them all that they could, without giving up their character and authority; so they made a proposition that, in the intervals of sessions, the lower house might appoint committees to prepare matters, and when business was brought regularly before them, that the archbishop should so order the prorogations, that they might have convenient and sufficient time to sit and deliberate about it. This fully satisfied many of that body; but the majority thought this kept the matter still in the archbishop's power, as it was indeed intended it should. So they made another application to the bishops, desiring them to refer the points in question to the queen's decision, and to such as she should appoint to hear and settle them. To this the bishops answered, that they reckoned themselves safe and happy in the queen's protection, and would pay all due submission to her pleasure and orders. But the rights, which the constitution of the church and the law had vested in them, were trusts lodged with them, which they were to convey to their successors as they had received them from their predecessors, and that it was not in their power to refer them. It would have been a strange sight, very acceptable to the enemies of the church, chiefly to papists, to see the two houses of convocation pleading their authority and rights before a committee of council that was to determine the matter. This failing, the lower house tried what they could obtain of the house of commons; but they could not be carried further than a general vote, which amounted to nothing, that they would stand by them in all their just rights and privileges. They next made a separate address to the queen, desiring her protection, praying her to hear and determine the dispute. She received this favourably; she said she would consider of it, and send them her answer. The matter was now brought into the hands of the ministers. The earl of Nottingham was of their side, but confessed that he understood not the controversy. The judges and the queen's council were ordered to examine how the matter stood in point of law, which was thus stated to them. The constant practice, as far as we had books or records, was, that the archbishop prorogued the convocation by a schedule: of this the form was so fixed, that it could not be altered but by act of parliament. There was a clause in the schedule that continued all matters before the convocation, in the state in which they then were, to the day to which he prorogued them: this made it evident that there could be no intermediate session; for a session of the lower

house could, by passing a vote in any matter, alter the state in which it was. It was kept a secret what opinion the lawyers came to in this matter. It was not doubted but they were against the pretensions of the lower house. The queen made no answer to their address; and it was believed that the reason of this was because the answer must, according to the opinion of lawyers, have been contrary to what they expected; and therefore the ministers chose rather to give no answer, and that it should seem to be forgotten, than that such an one should be given as would put an end to the debate, which they intended to cherish and support.

The lower house finding that, by opposing their bishops in so rough, as well as in so unheard-of, a manner, they were represented as favourers of presbytery, to clear themselves of that imputation, came suddenly into a conclusion that episcopacy was of divine and apostolical right. The party that stuck together in their votes, and kept their intermediate sessions, signed this, and brought it up to the bishops, desiring them to concur in settling the matter, so that it might be the standing rule of the church. This was a plain attempt to make a canon, or constitution, without obtaining a royal licence, which, by the statute confirming the submission of the clergy in king Henry the Eighth's time, made both them, and all who chose them, incur a premunire. So the bishops resolved not to entertain the proposition, and a great many of the lower house apprehending what the consequence of such proceedings might be, by a petition to the bishops, prayed that it might be entered in their books, that they had not concurred in that definition, nor in the address made pursuant to it. The lower house looked on what they did in this matter as a masterpiece: for if the bishops concurred with them, they reckoned they gained their point; and, if they refused it, they resolved to make them who would not come up to such a positive definition pass for secret favourers of presbytery. But the bishops saw into their designs, and sent them for answer, that they acquiesced in the declaration that was already made on that head in the preface to the book of ordinations; and that they did not think it safe either for them or for the clergy, to go further in that matter without a royal licence. To this a dark answer was made, and so all these matters were at a full stand when the session came to an end, by the prorogation of the parliament; which was become necessary, the two houses being fixed in an opposition to one another.

From those disputes in convocation, divisions ran through the whole body of the clergy, and to fix these, new names were found out; they were distinguished by the names of HIGH CHURCH and LOW CHURCH. All that treated the dissenters with temper and moderation, and were for residing constantly at their cures, and for labouring diligently in them; that expressed a zeal against the prince of Wales, and for the revolution; that wished well to the present war, and to the alliance against France, were represented as secret favourers of presbytery, and as ill affected to the church, and were called "low churchmen:" it was said that they were in the church only while the law and preferments were on its side; but that they were ready to give it up as soon as they saw a proper time for declaring themselves. With these false and invidious characters did the high party endeavour to load all those who could not be brought into their measures and designs. When the session was at an end, the court was wholly taken up with the preparations for the campaign.

The duke of Marlborough had a great domestic affliction at this time. He lost his only son, a graceful person and a very promising youth: he died at Cambridge of the small-pox. This, as may be imagined, went very deep in his father's heart, and stopped his passing the seas some days longer than he had intended. Upon his arrival on the other side, the Dutch brought their armies into the field. The first thing they undertook was the siege of Bonn. In the meanwhile all men's eyes were turned towards Bavaria. The court of Vienna had given it out all the former winter that they would bring such a force upon that elector, as would quickly put an end to that war, and seize his whole country. But the slowness of that court appeared on this as it had done on many other occasions; for though they brought two armies into the field, yet they were not able to deal with the elector's forces. Villars, who lay with his army at Strasburg, had orders to break through and join the elector: so he was to force his way to him at all adventures. He passed the Rhine, and set

down before Fort Keil, which lay over against Strasburg, and took it in a few days. Prince Lewis was in no condition to raise the siege, for the best part of his army was called away to the war in Bavaria; he therefore posted himself advantageously at Stollhoffen; yet he could not have maintained it if the States had not sent him a good body of foot, which came seasonably a few days before mareschal Villars attacked him with an army that was more than double his number. But his men, chiefly the Dutch battalions, received them with so much courage, that the French were forced to quit the attack after they had lost about four thousand men in it. Yet, upon repeated orders from France, mareschal Villars resolved to venture the loss of his whole army, rather than abandon the elector; who, though he had taken Newburg and had surprised Ratisbon, and had several advantages in little engagements with the imperialists, yet was likely to be overpowered by a superior force if he was not relieved in time. The Black Forest was thought impracticable in that season, which was a very wet one. This was too much trusted to, so that the passes were ill looked after, and therefore Villars overcame all difficulties, and joined the elector; but his troops were so harassed with the march, that he was obliged to put them for some time into quarters of refreshment.

The duke of Marlborough carried on the siege of Bonn with such vigour, that they capitulated within ten days after the trenches were opened. The French reckoned upon a longer resistance, and hoped to have diverted this by an attempt upon Liege. The States had a small army about Maestricht, which the French intended to fall upon, being much superior to it; but they found the Dutch in so good order, and so well posted, that they retired within their lines as soon as they saw the duke of Marlborough, after the siege of Bonn, was marching towards them. The winter had produced very little action in Italy. The country was under another very heavy plague, by a continued succession of threatening, and of some very devouring earthquakes: Rome itself had a share in the common calamity; but it proved to them more dreadful than it was mischievous. Prince Eugene found that his letters and the most pressing representations he could send to the court of Vienna had no effect; so at last he obtained leave to go thither.

The motions of the Dutch army made it believed there was a design on Antwerp. Cohorn was making advances in the Dutch Flanders, and Opdam commanded a small army on the other side of the Scheld, while the duke of Marlborough lay with the main army near the lines in Brabant. Boufflers was detached from Villeroy's army with a body double in number to Opdam's, to fall on him. He marched so quick that the Dutch, being surprised at Eckeren, were put in great disorder; and Opdam, apprehending all was lost, fled with a body of his men to Breda. But the Dutch rallied, and maintained their ground with such firmness, that the French retired, little to their honour; since though they were much superior in number, yet they let the Dutch recover out of their first confusion, and keep their ground, although forsaken by their general, who justified himself in the best manner he could, and cast the blame on others.

Boufflers's conduct was so much censured, that it was thought this finished his disgrace; for he was no more put at the head of the French armies; nor was the duke of Marlborough without some share of censure on this occasion, since it was pretended that he ought to have sent a force to support Opdam, or have made an attempt on Villeroy's army, when it was weakened by the detachment sent with Boufflers.

The French lines were judged to be so strong that the forcing them seemed impracticable, so the duke of Marlborough turned towards Huy, which was soon taken; and after that to Limburg, which he took with no loss but that of so much time as was necessary to bring up a train of artillery; and, as soon as that was done, the garrison were made prisoners of war, for they were in no condition to maintain a siege. Guelder was also blocked up, so that before the end of the campaign it was brought to capitulate. Thus the Lower Rhine was secured, and all that country, called the Coudras, was entirely reduced. This was all that our troops, in conjunction with the Dutch, could do in Flanders. We had the superior army, but, what by reason of the cautious maxims of the States, what by reason of the factions among them (which were rising very high between those who had been of the late



king's party, and were now for having a captain general, and those of the Lovestein party, who were for governing all by a deputation from the States), no great design could be undertaken by an army so much distracted.

In the Upper Rhine matters went much worse. Villars lay for some time on the Danube, while the elector of Bavaria marched into Tirol, and possessed himself of Inspruck. The emperor's force was so broken into many small armies, in different places, that he had not one good army any where; he had none at all in Tirol: and all that the prince of Baden could do was to watch Villars's motions; but he did not venture on attacking him during this separation. Many blamed his conduct: some called his courage, and others his fidelity, in question; while many excused him, since his army was both weak and ill furnished in all respects. The duke of Vendome had orders to march from the Milanese to Tirol, there to join the elector of Bavaria: upon which junction the ruin of the house of Austria would have probably followed; but the boors in Tirol rose and attacked the elector with so much resolution, that he was forced to retire out of the country with considerable loss, and was driven out before the duke of Vendome could join him, so that he came too late. He seemed to have a design on Trent, but the boors were now so animated with their successes, and were so conducted and supported by officers and troops sent them by the emperor, that Vendome was forced to return back, without being able to effect any thing.

Nothing passed this summer in Italy. The imperialists were too weak, and too ill supplied from Germany to be able to act offensively; and the miscarriage of the design upon Tirol lost the French so much time, that they undertook nothing, unless it were the siege of Ostiglia, in which they failed. Bresello, after a long blockade, was forced to capitulate, and by that means the French possessed themselves of the duke of Modena's country. The duke of Burgundy came to Alsace and sat down before Brisac, of which he was soon master, by the cowardice, or treachery, of those who commanded, for which they were condemned by a council of war.

The emperor's misfortunes grew upon him. Cardinal Calonitz and Esterhasi had the government of Hungary trusted chiefly to them. The former was so cruel, and the other so ravenous, that the Hungarians took advantage from this distraction in the emperor's affairs to run together in great bodies, and in many places, setting prince Ragotski at their head. They demanded that their grievances should be redressed, and that their privileges should be restored. They were much animated in this by the practices of the French, and the elector of Bavaria's agents. Some small assistance was sent them by the way of Poland. They were encouraged to enter upon no treaty, but to unite and fortify themselves; assurances being given them that no peace should be concluded, unless they were fully restored to all their ancient liberties.

The court of Vienna was much alarmed at this, fearing it might be secretly set on by the Turks; though that court gave all possible assurances that they would maintain the peace of Carlowitz most religiously, and that they would in no sort encourage or assist the malcontents. A revolution happening in that empire, in which a new sultan was set up, raised new apprehensions of a breach on that side. But the sultan renewed the assurances of maintaining the peace so solemnly, that all those fears were soon dissipated. There was a great faction in the emperor's court, and among his ministers; and it did not appear that he had strength of genius enough to govern them. Count Mansfield was much suspected of being in the interests of France. The prince of Baden and prince Eugene both agreed in charging his conduct, though they differed almost in every thing else. Yet he was so possessed of the emperor's favour and confidence, that it was not easy to get him set aside. In conclusion, he was advanced to a high post in the emperor's household, and prince Eugene was made president of the council of war.

But what effect soever this might have in succeeding campaigns, it was then too late in the year to find remedies for the present disorders: and all affairs on the south of the Danube were falling into great confusion. Things went a little better on the north side of that river. The upper palatinate was entirely conquered; but near the end of the year Augsburg was forced to submit to the elector of Bavaria, and Landau was besieged by the

French. Tallard, who commanded the siege, took it in fewer weeks than it had cost the Germans months to take it in the former year. Nor was this all; an army of the confederates was brought together to raise the siege: the young prince of Hesse commanded, but the prince of Nassau Welburg, as a man of more experience in war, was chiefly depended on, though his conduct showed how little he deserved it. The emperor's birthday was a day of diversion, and the German generals, then at Spire, allowed themselves all the idle liberties used in courts on such days, without the ordinary precaution of having scouts or parties abroad, in the same careless state as if no enemy had been near them. Tallard, having intelligence of this, left a part of his army to make a show, and maintain the works before Landau, and marched with his best troops against the Germans. He surprised and routed them; upon which Landau capitulated. With this the warlike operations of this campaign ended very gloriously, and with great advantage to the French.

But two great negotiations, then brought to a conclusion, very much changed the face of affairs. All the confederates pressed the king of Portugal to come into the alliance, as his own interest led him to it; since it was visible that, as soon as Spain was once united to the crown of France, he could not hope to continue long in Portugal. The almirante of Castile was believed to be in the interests of the house of Austria, therefore, to send him out of the way, he was appointed to go ambassador to France. He seemed to undertake it, and made the necessary preparations; he saw this embassy was intended for an exile, and that it put him in the power of his enemies: so, after he had raised what was necessary to defray his expense, he secretly changed his course, and escaped with the wealth he had in his hands to Lisbon; where he entered into secret negotiations with the king of Portugal and the emperor. He gave great assurances of the good dispositions in which both the people and garndeos of Spain were, who were grown sick of their new masters. The risk he himself ran seemed a very full credential. He assured them the new king was despised, and that the French about him were universally hated: the Spaniards could not bear the being made a province, either to France, or to the emperor.

He therefore proposed that the emperor and the king of the Romans should renounce all their pretensions and transfer them to the archduke, and declare him king of Spain; and that he should be immediately sent thither; for he assured them the Spaniards would not revolt from a king that was in possession, till they saw another king who claimed his right; and, in that case, they would think they had a right to adhere to the king they liked best. The king of Portugal likewise demanded an enlargement of his frontiers, and some new accessions to his crown, which were reasonable, but could not be stipulated but by a king of Spain.

In the treaty that the emperor had made with the late king, and with the States, one article was, that they should be at liberty to possess themselves of the dominions which the crown of Spain had in the West Indies, and he vested in them the right that their arms should give them in these acquisitions; upon which the king had designed to send a great fleet, with a land army, into the bay of Mexico, to seize some important places there, with a design of restoring them to the crown of Spain, upon advantageous articles for a free trade, as soon as the Spaniards should receive a king of the house of Austria. This design was now laid aside, and the reason that the ministers gave for it was, that the almirante had assured them that, if we possessed ourselves of any of their places in the West Indies, the whole nation would by that means become entirely French; they would never believe our promises of restoring them; and, seeing they had no naval power of their own to recover them they would go into the French interest very cordially, as the only way left to recover these places.

An entire credit was given to the almirante; so the queen and the States agreed to send over a great fleet, with a land army of twelve thousand men, together with a great supply of money and arms to Portugal; that king undertaking to have an army of twenty-eight thousand men ready to join ours. In this treaty an incident happened, that had almost spoiled the whole; the king of Portugal insisted on demanding the flag, and the other respects to be paid by our admiral, when he was in his ports: the earl of Nottingham

insisted it was a dishonour to England to strike, even in another king's ports; this was not demanded of the fleet that was sent to bring over queen Katharine; so, though Methuen, our ambassador, had agreed to this article, he pressed the queen not to ratify it.

Methuen\*, in his own justification, said, he consented to the article, because he saw it was insisted on so much, that no treaty could be concluded, unless that point were yielded; the low state of their affairs, in the year 1662, when the protection of England was all they had in view, for their preservation, made such a difference between that and the present time, that the one was not to be set up for a precedent to govern the other; besides, even then the matter was much contested in their councils, though the extremities to which they were reduced made them yield it. The lord Godolphin looked on this as too inconsiderable to be insisted on, the whole affairs of Europe seemed to turn upon this treaty, and so important a matter ought not to be retarded a day for such punctilios as a salute, or striking the flag; and it seemed reasonable that every sovereign prince should claim this acknowledgment, unless where it was otherwise stipulated by express treaties. The laying so much weight on such matters very much heightened jealousies; and it was said, that the earl of Nottingham, and the Tories, seemed to lay hold on every thing that could obstruct the progress of the war; while the round proceeding of the lord Godolphin reconciled many to him. The queen confirmed the treaty†; upon which the court of Vienna was desired to do their part. But that court proceeded with its ordinary slowness, the mildest censure passed on these delays was, that they proceeded from an unreasonable affectation of magnificence in the ceremonial, which could not be performed soon, nor easily, in a poor but a haughty court; it was done at last, but so late in the year, that the new declared king of Spain could not reach Holland before the end of October. A squadron of our fleet was lying there to bring him over; such as was wont to convoy the late king when he crossed the seas. But the ministers of the king of Spain thought it was not strong enough; they pretended they had advertisements that the French had a stronger squadron in Dunkirk, which might be sent out to intercept him; so an additional strength was sent; this lost some time, and a fair wind.

It had like to have been more fatal; for about the end of November the weather grew very boisterous, and broke out on the 27th of November, in the most violent storm, both by sea and land, that had been known in the memory of man: the city of London was so shaken with it, that people were generally afraid of being buried in the ruins of their houses. Some houses fell and crushed their masters to death; great hurt was done in the southern parts of England; little happening in the north, where the storm was not so violent. There was a great fall of trees, chiefly of elms, that were blown down by the wind. We had, at that time, the best part of our naval force upon the sea; which filled all people with great apprehensions of an irreparable loss; and indeed, if the storm had not been at its height at full flood, and in a spring tide, the loss might have proved fatal to the nation. It was so considerable, that fourteen or fifteen men of war were cast away, in which one thousand five hundred seamen perished; few merchantmen were lost; such as were driven to sea were safe: some few only were over-set. Thus the most threatening danger, to which the nation could be exposed, went off with little damage: we saw all our hazard, since the loss of our fleet must have been the loss of the nation. If this great hurricane had come at low water, or in a quarter tide, our ships must have been driven out upon the banks of sand that lie before the coast, and have stuck and perished there, as some of the men of war did; but the sea being so full of water, all but some heavy ships got over these safe: our squadron, which was then in the Maes, suffered but little, and the ships were soon refitted, and ready to sail.

\* Jonathan Methuen was the representative in parliament of Devizes from 1690 to 1702. Educated for the profession of the law, he practised with success, and rose to the dignity of lord chancellor of Ireland. According to Mackay's "Characters," he was nearly promoted to the same high office in England. It is an instance of the ill government to which Ireland has for centuries been subjected, that whilst he held the station of its highest law officer, he was employed as ambassador to Portugal; where he died in 1706. Mackay's "Characters" and

Dean Swift unite in giving him a very degrading character. The first says "he was a man of intrigue, but very muddy in his conceptions, and not quickly understood in any thing;" the latter, still more virulent, describes him as "a profligate rogue, without religion, or morals, but cunning enough, though without abilities of any kind." He was buried in Westminster abbey. His letters do not show any deficiency of sense.—Clarendon Correspondence, Oxford edition of this work; Noble's Contin. of Granger.

† But the obnoxious clause was expunged.—Noble.



About the end of December, the king of Spain landed at Portsmouth; the duke of Somerset was sent by the queen to receive him, and to bring him to an interview, which was to be at Windsor\*; prince George went and met him on the way, and he was treated with great magnificence: the court was very splendid, and much thronged; the queen's behaviour towards him was very noble and obliging: the young king charmed all that were there; he had a gravity beyond his age, tempered with much modesty; his behaviour was in all points so exact, that there was not a circumstance in his whole deportment that was liable to censure; he paid an extraordinary respect to the queen, and yet maintained a due greatness in it. He had an art of seeming well pleased with every thing, without so much as smiling once all the while he was at court, which was only three days: he spoke but little, and all he said was judicious and obliging. All possible haste was made in fitting out the fleet, so that he set sail in the beginning of January, and for five days he had a fair wind with good weather, but then the wind changed, and he was driven back to Portsmouth. He lay there above three weeks, and then he had a very prosperous navigation. The forces that were ordered to go over to his assistance were by this time got ready to attend on him, so he sailed with a great fleet, both of men of war and transport ships: he arrived happily at Lisbon, where he was received with all the outward expressions of joy and welcome, and at an expence, in a vain magnificence, which that court could not well bear; but a national vanity prevailed to carry this too far, by which other things that were more necessary were neglected: that court was then very melancholy; for the young infanta, whom the king of Spain was to have married, as had been agreed, died a few days before his arrival.

While this negotiation with Portugal was carried on, the duke of Savoy began to see his own danger, if the two crowns should come to be united; and he saw, that if the king of France drove the imperialists out of Italy, and became master of the Milanese, he must lie exposed, and at mercy; he had married his two daughters to the duke of Burgundy, and to king Philip of Spain; but as he wrote to the emperor, he was now to take care of himself and his son; his alliance with France was only for one year, which he had renewed from year to year, so he offered, at the end of the year, to enter into the great alliance; and he demanded for his share, the Novarize, and the Montferrat. His leaving the allies, as he had done in the former war, showed that he maintained the character of his family, of changing sides, as often as he could expect better terms, by a new turn; yet his interest lay so visibly now on the side of the alliance, that it was very reasonable to believe he was resolved to adhere firmly to it. So when the demands he made were laid before the court of Vienna, and from thence transmitted to England, and Holland, all the assistance that he proposed was promised him: the court of Vienna had no money to spare, but England and the States were to pay him twenty thousand pounds a month, of which England was to pay him two thirds, and the States the rest.

Since I am to relate the rest of this transaction, I must look back, and give some account of his departing from the alliance in the former war, which I had from Monsieur Herval, who was then the king's envoy in Switzerland, a French refugee, but originally of a German

\* Charles Seymour, commonly known as "the proud duke of Somerset." He was born in 1662, and died in 1748. He was interred in Salisbury cathedral. Noble relates several anecdotes, fully justifying the popular epithet applied to him. Under queen Anne he was master of the horse, privy councillor, and a commissioner for the union; but upon the change of ministry he was superseded. Indignant, he, with the duke of Argyle, forced himself into the council at Kensington, summoned to deliberate upon the situation of the nation, the queen lying dead at the time. This disconcerted all the plans of the tory party. George the First restored him to all his honours, but from thence he was removed again for expressing himself with indecorous warmth, because bail was refused for his son-in-law, sir William Wyndham, suspected of treasonable correspondence with the exiled court. Upon this he had all his servants' liveries taken in a cart and thrown into the yard of the palace. These

liveries were the same as those worn by the royal footmen. His servants were directed by signs, and couriers preceded him to clear the country roads, that he might pass without obstruction or observation. A countryman driving a pig, instead of obeying the mandate, held up the hog by the ears, indignantly exclaiming, "I see him, and so shall my pig." He had two wives; Eliza, only child of the earl of Northumberland; and Charlotte, daughter of the earl of Winchelsea and Nottingham. The latter once tapped him upon the shoulder with her fan, upon which he indignantly rebuked her by observing, "My first duchess was a Percy, and she never took such a liberty." His two youngest daughters were accustomed to stand and watch him by turns as he slept in the afternoon. One of them being wearied, sat down, which he observing as he suddenly awaked, declared she should remember. By his will he left her 20,000*l.* less than her sister. Such a proud brute must have been a fool.

family of Augsburg, settled but lately in France. In January, 1696, when the plot for assassinating the king and invading the nation was thought so surely laid, that it could not miscarry, the king of France sent M. Chanley very secretly to the duke of Savoy, with a full credence to the propositions he was to make, demanding a positive answer within six hours; with that the duke of Orleans wrote very warmly to him; he said, he had employed all his interest with the king his brother, to get these offers made to him, which he conjured him to accept of, otherwise he must look for utter ruin, without remedy, or recovery. Chanley told him, that at that present time, he was to reckon that king James was repossessed of the throne of England, and that the prince of Orange was either dead, or in his hands; so he offered to restore Casal and Pigneroll, and all that was afterwards agreed to by the treaty, if he would depart from the alliance. The duke of Savoy being thus alarmed with a revolution of England, and being so straitened in time, thought the extreme necessity, to which he would be reduced, in case that was true, must justify his submitting, when otherwise his ruin was unavoidable. The worst part of this was, that he got leave to pretend to continue in the alliance, till he had drawn all the supplies he was to expect for that year from England, and the States, and then the whole matter was owned, as has been related in the transactions of that year. I leave this upon the credit of him from whom I had it, who assured me he was well informed concerning it.

The duke of Savoy having now secretly agreed to enter into the alliance, did not declare it, but continued still denying it to the French, that so when the duke of Vendome sent back his troops to him, at the end of the campaign, he might more safely own it. The French had reason to suspect a secret negotiation, but could not penetrate into it, so they took an effectual, though a very fraudulent method to discover it, which was told me soon after by the earl of Pembroke. They got the elector of Bavaria to write to him, with all seeming sincerity, and with great secrecy, for he sent it to him by a subject of his own, so well disguised and directed, that the duke of Savoy was imposed on by this management: in this letter, the elector complained bitterly of the insolence and perfidiousness of the French, into whose hands he had put himself: he said, he saw his error now, when it was too late to see how he could correct it; yet if the duke of Savoy, who was almost in as bad a state as himself, would join with him, so that they might act by concert, they might yet not only recover themselves, but procure a happy peace for all the rest of Europe. The duke of Savoy, mistrusting nothing, wrote him a frank answer, in which he owned his own designs, and encouraged the elector to go on, and offered all offices of friendship on his behalf, with the rest of the allies. The French, who knew by what ways the Savoyard was to return, seized him, without so much as acquainting the elector with the discovery that they had made: they saw now into this secret; so when the time came, in which the duke of Vendome ought to have sent back his troops to him, they were made prisoners of war, contrary to all treaties; and with this the war began in those parts. It was much apprehended that, considering the weak and naked state in which the duke of Savoy then was, the French would have quickly mastered him; but count Staremberg ventured on a march, which military men said was the best laid, and the best executed of any in the whole war: he marched from the Modenese, in the worst season of the year, through ways that, by reason of the rains that had fallen, seemed impracticable, having in many places the French both before and behind him; he broke through all, and in conclusion joined the duke of Savoy, with a good body of horse. By this he was rendered safe in Piedmont; it is true the French made themselves quickly masters of all Savoy, except Montmelian, where some small actions happened, much to the duke's advantage. The Switzers interposed to obtain a neutrality for Savoy, though without effect.

The rising in the Cevennes had not been yet subdued, though mareschal Montravel was sent with an army to reduce or destroy them: he committed great barbarities, not only on those he found in arms, but on whole villages, because they, as he was informed, favoured them: they came often down out of their hills in parties, ravaging the country, and they engaged the king's troops with much resolution, and sometimes with great advantage: they seemed resolved to accept of nothing less than the restoring their edicts to them; for a con-

nivance at their own way of worship was offered them : they had many among them who seemed qualified in a very singular manner, to be the teachers of the rest ; they had a great measure of zeal without any learning ; they scarcely had any education at all ; I spoke with the person who, by the queen's order, sent one among them to know the state of their affairs ; I read some of the letters, which he brought from them, full of a sublime zeal and piety, expressing a courage and confidence that could not be daunted ; one instance of this was, that they all agreed, that if any of them was so wounded in an engagement with the enemy, that he could not be brought off, he should be shot dead, rather than be left alive to fall into the enemy's hands ; it was not possible then to form a judgment of that insurrection, the reports about it were so various and uncertain, it being as much magnified by some, as it was undervalued by others : the whole number that they could reckon on was four thousand men, but they had not arms and clothes for half that number, so they used these by turns, while the rest were left at home, to follow their labour : they put the country all about them in a great fright, and to a vast expence ; while no intelligence could be had of their designs, and they broke out in so many different places, that all who lay within their reach were in a perpetual agitation ; it was a lamentable thing that they lay so far within the country, that it was not possible to send supplies to them unless the duke of Savoy should be in a condition to break into Dauphiny ; and therefore advices were sent them, to accept of such terms as could be had, and to reserve themselves for better times.

In Poland, the scene was more embroiled than ever ; there was some appearance of peace this summer, but it went off in winter : the old fierce cardinal drew a diet to Warsaw ; there it was declared that their king had broken all their laws : upon that, they, by a formal sentence, deposed him, and declared the throne vacant. This was done in concert with the king of Sweden, who lay with his army at some distance from them, in the neighbourhood of Dantzic, which alarmed the citizens very much : it was believed that they designed to choose Sobieski, the eldest son of the late king, who then lived at Breslau, in Sillesia, and being in the emperor's dominions, he thought himself safer than he proved to be ; the king of Poland retired into Saxony in some haste, which made many conclude, that he resolved to abandon Poland ; but he laid another design, which was executed to his mind, though in the sequel it proved not much to his advantage ; Sobieski and his brother were in a correspondence with the party in Poland that opposed the king, upon which they ought to have looked to their own security with more precaution : they, it seems, apprehended nothing where they then were, and so diverted themselves at hunting, and otherwise in their usual manner ; upon this some, sent by the king of Poland, took them both prisoners, and brought them to Dresden, where they were safely kept ; and all the remonstrances that the emperor could make upon such an act of hostility had no effect. This for a while broke their measures at Warsaw ; many forsook them, while the king of Sweden seemed implacable in his opposition to Augustus, whose chief confidence was in the czar : it was suspected that the French had a management in this matter ; since it was certain that, by the war in Poland, a great part of that force was diverted which might otherwise have been engaged in the common cause of the great alliance. All the advices that we had from thence agreed in this, that the king of Sweden himself was in no understanding with the French, but it was visible that what he did contributed not a little to serve their ends. This was the state of affairs at land.

I turn next to another element, and to give an account of the operations at sea, where things were ill designed, and worse executed : the making prince George our lord high admiral, proved in many instances very unhappy to the nation : men of bad designs imposed on him, he understood those matters very little, and they sheltered themselves under his name, to which a great submission was paid ; but the complaints rose the higher for that ; our main fleet was ready to go out in May, but the Dutch fleet was not yet come over ; so Rook was sent out to alarm the coast of France ; he lingered long in port, pretending ill health ; upon that Churchill was sent to command the fleet ; but Rook's health returned happily for him, or he thought fit to lay aside that pretence, and went to sea, where he continued a month ; but in such a station as if his design had been to keep far from meeting



the French fleet, which sailed out at that time ; and to do the enemy no harm, not so much as to disturb their quiet, by coming near their coast ; at last he returned without having attempted any thing \*.

It was after this resolved to send a strong fleet into the Mediterranean : it was near the end of June before they were ready to sail, and they had orders to come out of the streights by the end of September : every thing was so ill laid in this expedition as if it had been intended that nothing should be done by it besides the convoying our merchant ships, which did not require the fourth part of such a force. Shovel was sent to command ; when he saw his instructions he represented to the ministry that nothing could be expected from this voyage ; he was ordered to go, and he obeyed his orders : he got to Leghorn by the beginning of September. His arrival seemed to be of great consequence, and the allies began to take courage from it ; but they were soon disappointed of their hopes when they understood that by his orders he could only stay a few days there ; nor was it easy to imagine what the design of so great an expedition could be, or why so much money was thrown away on such a project, which made us despised by our enemies, whilst it provoked our friends, who might justly think they could not depend upon such an ally who managed so great a force with so poor a conduct, as neither to hurt their enemies, nor protect their friends by it.

A squadron was sent to the West Indies, commanded by Graydon, a man brutal in his way, and not well affected to the present state of affairs. The design was, to gather all the forces that we had, scattered up and down the plantations, and with that strength to go and take Placentia, and so to drive the French out of the Newfoundland trade : but the secret of this was so ill kept, that it was commonly talked of before he sailed : the French had timely notice of it, and sent a greater force to defend the place than he could bring together to attack it. His orders were pressing, in particular, that he should not go out of his way to pursue any of the enemy's ships whom he might see ; these he observed so punctually, that when he saw a squadron of four French men of war sailing towards Brest, that were visibly foul, and in no condition to make any resistance, he sent indeed one of his ships to view them, who engaged them, but Graydon gave the signal to call him off, upon which they got safe into Brest. This was afterwards known to be Du Casse's squadron, who was bringing treasure home from Carthage, and other ports of the West Indies, reported to be four millions of pieces of eight ; but though here was a good prey lost, yet so careful was the prince's council to excuse every thing, done by such a man, that they ordered an advertisement to be put in the gazette, to justify Graydon ; in which it was said that, pursuant to his orders, he had not engaged that fleet. The orders were indeed strangely given, yet our admirals had never thought themselves so bound down to them, but that, upon great occasions, they might make stretches ; especially where the advantage was visible, as it was in this case ; for since they were out of the way of new orders, and new occasions might happen, which could not be known, when their orders were given, the nature of the service seemed to give them a greater liberty than was fit to be allowed in the land service. When he came to the plantations, he acted in so savage a manner, as if he had been sent rather to terrify than to protect them : when he had drawn the forces together that were in the plantations, he went to attack Placentia : but he found it to be so well defended, that he did not think fit so much as to make any attempt upon it : so this expedition ended very ingloriously, and many complaints of Graydon's conduct were sent after him.

\* Sir George Rooke was not a supporter of the whig party in parliament, which appears to be the only reason that actuated Burnet in always disparaging this gallant seaman. William the Third had more magnanimity, for, when urged by his ministry to discharge Rooke for opposing them in the house of commons, the king replied—"No ; if you have anything to allege against his conduct in the navy, I may comply with your request ; but I will never discharge a brave and experienced officer, who hath always behaved well in my service, for no other reason than his conduct in parliament." He was a native of Kent, born in 1650, and dying in 1709. Two or three anecdotes will place his character in a true light. In 1700, when serving in the Baltic, and endeavouring to mediate a peace

between Sweden and Denmark, but the latter being refractory, he bombarded Copenhagen, and compelled them to be reasonable. The king of Sweden urged him to be more rigorous towards them, but Rooke very calmly replied, "Sir, I was sent hither to serve your majesty not to ruin the king of Denmark." Party spirit eventually prevailed, and in 1705 he was removed from the command of the fleet. When making his will, a friend remarked that his fortune was less than might have been expected, to which sir George answered—"True ; I do not leave much, but what I do leave was honestly gotten ; it never cost a sailor a tear, or the nation a farthing."—Campbell's *Lives of the Admirals* ; Noble's *Contin. of Grainger*.

There was also a great complaint through the whole fleet of their victualling ; we lost many of our seamen, who, as was said, were poisoned by ill food ; and though great complaints were made of the victuallers before the fleet went out, yet there was not such care taken to look into it as a matter of that consequence deserved : the merchants did also complain that they were ill served with convoys, and so little care had been taken of the Newcastle fleet, that the price of coals rose very high ; it was also said, that there was not a due care had of our seamen that were taken by the privateers, many of them died by reason of their ill usage, while others, to deliver themselves from that, went into the French service. Thus all our marine affairs were much out of order, and these disorders were charged on those who had the conduct of them ; every thing was unprosperous, and that will always be laid heavily on those who are in the management of affairs : it is certain that, in the beginning of this reign, all those who hated the late king and his government, or had been dismissed the service by him, were sought out, and invited into employments : so it was not to be expected that they could be faithful, or cordial, in the war against France.

The affairs of Scotland come next to be related : a new parliament was called, and many were chosen to serve in it, who were believed to be in secret engagements with the court at St. Germain's : the lords, who had hitherto kept out of parliament, and were known to be jacobites, came and qualified themselves by taking the oaths to vote in parliament : it was set up for a maxim by the new ministry, that all the jacobites were to be invited home ; so a proclamation was issued out, of a very great extent, indemnifying all persons, for all treasons committed before April last, without any limitation of time for their coming home to accept of this grace, and without demanding any security of them for the future. The duke of Queensbury was sent down the queen's commissioner to the parliament ; this inflamed all those who had formerly opposed him : they resolved to oppose him still in every thing, and the greater part of the jacobites joined with them, but some of them were bought off, as was said, by him : he, seeing so strong an opposition formed against him, studied to engage the presbyterian party to stick to him : and even the party that united against him were so apprehensive of the strength of that interest, that they likewise studied to court them, and were very careful not to give them any umbrage. By this, all the hopes of the episcopal party were lost, and every thing relating to the church did not only continue in the same state in which it was during the former reign, but the presbyterians got a new law in their favour, which gave them as firm a settlement, and as full a security, as law could give ; for an act passed, not only confirming the claim of rights, upon which the crown had been offered to the late king, one of its articles being against prelacy, and for a parity in the church, but it was declared high treason to endeavour any alteration of it. It had been often proposed to the late king to pass this into an act, but he would never consent to it ; he said, he had taken the crown on the terms in that claim, and that therefore he would never make a breach on any part of it ; but he would not bind his successors by making it a perpetual law. Thus a ministry that carried all matters relating to the church to so great a height ; yet, with other views, gave a fatal stroke to the episcopal interest in Scotland, to which the late king would never give way. The great debates in this session were concerning the succession of the crown, in case the queen should die without issue. They resolved to give the preference to that debate before they would consider the supplies ; it was soon resolved that the successor to the crown after the queen, should not be the same person that was king, or queen, of England, unless the just rights of the nation should be declared in parliament, and fully settled in an independence upon English interests and councils. After this they went to name particulars, which by some were carried so far, that those expedients were indeed the setting up a commonwealth, with the empty name of a king ; for it was proposed that the whole administration should be committed to a council, named by parliament, and that the legislature should be entirely in the parliament, by which no shadow of power was left with the crown, and it was merely a nominal thing ; but the further entering upon expedients was laid aside for that time, only one act passed that went a great way towards them : it was declared, that no succeeding king should have the power to engage the nation in a war, without consent of parliament. Another act of a strange nature passed, allowing the importation of French goods, which, as was pretended, were to be imported in

the ships of a neutral state. The truth was, the revenue was so exhausted, that they had not enough to support the government without such help : those who desired to drink good wine, and all who were concerned in trade, ran into it ; so it was carried, though with great opposition ; the jacobites also went into it, since it opened a free correspondence with France ; it was certainly against the public interest of the government in opposition to which private interest will often prevail. The court of St. Germain, perceiving such a disjointing in Scotland, and so great an opposition made in parliament, was from thence encouraged to set all their emissaries in that kingdom at work, to engage both the chief of the nobility, and the several tribes in the Highlands, to be ready to appear for them. One Frazer had gone through the Highlands the former year, and from thence he went to France, where he pretended he had authority from the Highlanders, to undertake to bring together a body of twelve thousand men, if they might be assisted by some force, together with officers, arms, ammunition, and money from France. After he had delivered this message to the queen at St. Germain, she recommended him to the French ministers : so he had some audiences of them. He proposed that five thousand men should be sent from Dunkirk to land near Dundee, with arms for twenty thousand men ; and that five hundred should be sent from Brest, to seize on Fort William, which commanded the great pass in the Highlands. The French hearkened to all this, but would not venture much upon slight grounds, so they sent him back with some others, in whom they confided more, to see how much they might depend on, and what the strength of the Highlanders was ; they were also ordered to try whether any of the great nobility of that kingdom would engage in the design.

When these came over, Frazer got himself secretly introduced to the duke of Queensbury, to whom he discovered all that had been already transacted ; and he undertook to discover the whole correspondence between St. Germain and the jacobites : he also named many of the lords who opposed him most in parliament, and said, they were already deeply engaged. The duke of Queensbury hearkened very willingly to all this, and he gave him a pass to go through the Highlands again, where he found some were still very forward, but others were more reserved. At his return, he resolved to go back to France, and promised to make a more entire discovery : he put one letter in the duke of Queensbury's hands, from the queen at St. Germain, directed on the back (but by another hand) to the Marquis of Athol : the letter was written in such general terms, that it might have been directed to any of the great nobility ; and probably he who was trusted with it had power given him to direct it to any, to whom he found it would be most acceptable : for there was nothing in the letter that was particular to any one person or family ; it only mentioned the promises and assurances sent to her by that lord. This Frazer had been accused of a rape, committed on a sister of the lord Athol's, for which he was convicted and outlawed ; so it might be supposed, that he, to be revenged of the lord Athol, who had prosecuted him for that crime, might put his name on the back of that letter. It is certain that the others, who were more trusted, and were sent over with him, avoided his company, so that he was not made acquainted with that proceeding. Frazer came up to London in winter, and had some meetings with the practising jacobites about the town, to whom he discovered his negotiation ; he continued still to persuade the duke of Queensbury of his fidelity to him : his name was not told the queen, for when the duke of Queensbury wrote to her an account of the discovery, he added, that unless she commanded it, he had promised not to name the person, for he was to go back to St. Germain, to complete the discovery. The queen did not ask his name, but had more regard to what he said, because in the main it agreed with the intelligence, that her ministers had from their spies at Paris. The duke of Queensbury procured a pass for him to go to Holland, but by another name ; for he opened no part of this matter to the earl of Nottingham, who gave the pass. The jacobites in London suspected Frazer's correspondence with the duke of Queensbury, and gave advertisement to the lord Athol, and by this means the whole matter broke out, as shall be told afterwards. What influence soever this, or any other practice might have in Scotland, it is certain the opposition in parliament grew still greater ; and since the duke of Queensbury would not suffer them to proceed, in those strange limitations upon the crown, that had been proposed, though the queen ordered him to pass the other bills, they would give no supply ; so that the pay of the army, with the charge of



the government, was to run upon credit, and by this means matters there were likely to come to extremities. A national humour of rendering themselves a free and independent kingdom did so inflame them, that as they had a majority of seventy in parliament, they seemed capable of the most extravagant things that could be suggested to them: the greatest part of the ministry forsook the duke of Queensbury in parliament; both the earl of Seafield, lord chancellor, the marquis of Athol, the lord privy seal, and lord Tarbet, the secretary of state, with all that depended on them, broke off from him: yet upon the conclusion of the session, Athol was made a duke, and Tarbet was made earl of Cromarty, which looked like rewarding them for their opposition\*. Soon after that, the queen resolved to revive the order of the thistle, that had been raised by her father, but was let fall by the late king: it was to be carried in a green ribbon, as the George is in a blue, and the glory was in the form of a St. Andrew's cross, with a thistle in the middle. Argyle, Athol, Annandale, Orkney, and Seafield were the first that had it, the number being limited to twelve†. And to such a height did the disorders in that kingdom rise, that great skill and much secret practice seemed necessary to set matters right there: the aversion and jealousy towards those who had been most active in the last reign, and the favour showed to those who were in king James's interests, had an appearance of bringing matters out of an excess, to a temper: and it was much magnified by those who intended to flatter the queen, on design to ruin her. Though the same measures were taken in England, yet there was less danger in following them here than there: errors might be sooner observed, and easier corrected, where persons are in view, and are watched in all their motions: but this might prove fatal at a greater distance, where it was more easy to deny, or palliate, things, with great assurance. The duke of Queensbury's engrossing all things to himself, increased the disgust, at the credit he was in: he had begun a practice of drawing out the sessions of parliament to an unusual length, by which his appointments exhausted so much of the revenue, that the rest of the ministers were not paid, and that will always create discontent; he trusted entirely to a few persons, and his conduct was liable to just exceptions: some of those who had the greatest credit with him were believed to be engaged in a foreign interest, and his passing, or rather promoting the act, that opened a correspondence with France, was considered as a design, to settle a commerce there; and upon that, his fidelity, or his capacity, were much questioned.

There were still high discontents in Ireland, occasioned by the behaviour of the trustees there. The duke of Ormond was the better received when he went to that government, because he came after the earl of Rochester; till it appeared that he was in all things governed by him; and that he pursued the measures which he had begun to take, of raising new divisions in that kingdom; for, before that time, the only division in Ireland was, that

\* James Douglas, second duke of Queensbury, was born in 1662. When returned from travelling, Charles the Second appointed him a privy councillor for Scotland, but these and other appointments he resigned when James succeeded to the throne. William restored him to all his offices, appointed him a lord of the bedchamber, a captain in the Dutch guard, made him a lord of the treasury, permitted him to vote in the house of lords as a Scotch peer, though his father was living, and appointed him to the lord treasurer'ship of Scotland. In 1695, upon the death of his father, he resigned all his military employments, but was made lord privy seal, an extraordinary lord of session, knight of the garter, and for two sessions lord high commissioner. In this post he was retained by queen Anne, and she named him a commissioner of the union, of which he was a chief promoter, and for which he received extraordinary marks of public favour. He was elected one of the sixteen representative peers of Scotland. In 1704 he was obliged to retire from office by the superior numbers of his political opponents, but the next year returned to power as first lord of the treasury, and privy seal. He was raised to the English peerage as duke of Dover, marquis of Beverley, and baron Rippon. From 1710 until his death in 1711, he was

one of the secretaries of state for the united kingdoms. His political opponents represent him in very odious lights, but there is no doubt that he was a talented, virtuous man.—Noble's Contin. of Grainger; Lockhart Papers—Peerages.

George Mackenzie, lord Macleod, and Castlehaven, viscount Tarbet, and earl of Cromartie, was distinguished for his loyalty in the reigns of Charles, James, and William. Besides the other appointments mentioned by Burnet, queen Anne appointed him justice-general, an office he resigned in 1710. He died in 1714, in his eighty-fourth year.—Noble.

† The order of the thistle was instituted by James the Fifth of Scotland, in the year 1554; revived by our James the Second in 1697, and re-established, as mentioned in the text, by queen Anne. The order consists of the sovereign, and twelve brethren, or knights. The star is a St. Andrew's cross of silver embroidery, with rays emanating between the points of the cross, on the centre of which is a thistle of green and gold upon a field green, round which is a circle of gold, and on this the motto "Nemo me impune lacessit," (No one provokes me with impunity.) The jewel and collar correspond.

of English and Irish, protestants and papists; but of late an animosity came to be raised there, like that we labour under in England, between whig and tory. The wiser sort of the English resolved to oppose this all they could; and to proceed with temper and moderation: the parliament there was opened with speeches and addresses, that carried the compliments to the duke of Ormond so far, as if no other person besides himself could have given them that settlement which they expected from his government. The trustees had raised a scandal upon that nation, as if they designed to set up an independence upon England; so they began the session with a vote, disclaiming that as false and injurious. They expressed on all occasions their hatred of the trustees and of their proceedings, yet they would not presume to meddle with any thing they had done, pursuant to the act that had passed in England, which vested the trust in them. They offered the necessary supplies, but took exceptions to the accounts that were laid before them, and observed some errors in them. This begat an uneasiness in the duke of Ormond; for though he was generous, and above all sordid practices, yet being a man of pleasure, he was much in the power of those who acted under him, and whose integrity was not so clear. One great design of the wiser among them was, to break the power of popery, and the interest, that the heads of the Irish families had among them: they enacted the succession of the crown, to follow the pattern set them by England in every particular. They also passed an act concerning papists, somewhat like that which had passed in England three years before; but with some more effectual clauses, for the want of which we have not yet had any fruit from our act: the main difference was that which made it look less invidious, and yet was more effectual, for breaking the dependence on the heads of families; for it was provided, that all estates should be equally divided among the children of papists, notwithstanding any settlements to the contrary, unless the persons on whom they were settled qualified themselves by taking the oaths, and coming to the communion of the church: this seemed to carry no hardship to the family in general, and yet gave hopes of weakening that interest so considerably, that the bill was offered to the duke of Ormond, pressing him with more than usual vehemence, to intercede so effectually, that it might be returned back under the great seal of England. They understood that the papists of Ireland had raised a considerable sum, to be sent over to England, to support their practices, in order to the stopping this bill: it came over, warmly recommended by the duke of Ormond; but it was as warmly opposed by those who had a mind to have a share in the presents, that were ready to be made. The pretence for opposing it was, that while the queen was so deeply engaged with the emperor, and was interceding for favour to the protestants in his dominions, it seemed not seasonable, and was scarcely decent, to pass so severe a law against those of his religion: though this had the less strength, since it was very evident that all the Irish papists were in the French interest, so there was no reason to apprehend that the emperor could be much concerned for them. The parliament of England was sitting when this bill came over, and men's eyes were much set on the issue of it; so that the ministers judged it was not safe to deny it: but a clause was added, which they hoped would hinder its being accepted in Ireland. That matter was carried on so secretly, that it was known to none, but those who were at the council, till the news of it came from Ireland, upon its being sent thither; the clause was to this purpose, that none in Ireland should be capable of any employment, or of being in the magistracy in any city, who did not qualify themselves by receiving the sacrament, according to the test-act passed in England, which before this time had never been offered to the Irish nation. It was hoped by those who got this clause to be added to the bill, that those in Ireland who promoted it most, would now be the less fond of it, when it had such a weight hung to it: the greatest part of Ulster was possessed by the Scotch, who adhered stiffly to their first education in Scotland; and they were so united in that way, that it was believed they could not find such a number of men who would qualify themselves, as was necessary by this clause, to maintain the order and justice of the country. Yet upon this occasion the Irish parliament proceeded with great caution and wisdom; they reckoned that this act, so far as it related to papists, would have a certain and great effect for their common security; and that when it was once passed, it would never be repealed; whereas if great inconveniences did arise upon this new clause, it would be an easier thing to

obtain a repeal of it, in a subsequent parliament, either of England or Ireland. So the act was passed, and those who thought they had managed the matter with a master-piece of cunning, were outwitted by an Irish parliament. However this artifice, and some other things in the Duke of Ormond's conduct, put them into such an ill humour, that the supply bill was clogged and lessened by many clauses added to it. The session ended in so much heat, that it was thought that parliament would meet no more, if the duke of Ormond was continued in the government.

Thus the parts of the government that were thought the most easily managed, Scotland and Ireland, had of late been put into so much disorder, that it might prove no easy work to set them again in order; the government was every where going, as it were, out of joint; its nerves and strength seemed to be much slackened; the trusting and employing not only violent tories, but even known jacobites, as it brought a weakness on the management, so it raised a jealousy that could not be easily cured. Stories were confidently vented, and by some easily believed, that the queen was convinced of the wrong done her pretended brother, and that she was willing to put affairs in the hands of persons who favoured his succession; it was also observed, that our court kept too cold civilities with the house of Hanover, and did nothing that was tender or cordial looking that way; nor were any employed who had expressed a particular zeal for their interests. These things gave great jealousy: all that was said in excuse for trusting such persons, was, that it was fit once to try if good usage could soften them, and bring them entirely into the queen's interests; and assurances were given, that, if upon a trial, the effect hoped for did not follow, they should be again dismissed.

This was the state of our affairs when a new session of parliament was opened in November: the queen, in her speech, expressed a great zeal for carrying on the war, and with relation to the affairs of Europe; she recommended union and good agreement to all her people; she said she wanted words to express how earnestly she desired this. This was understood as an intimation of her desire, that there should be no further proceedings in the bill against occasional conformity: addresses full of respect were made to the queen, in return to her speech; and the lords, in theirs, promised to avoid every thing that should occasion disunion, or contention: but nothing could lay the heat of a party, which was wrought on by some who had designs that were to be denied, or disguised, till a proper time for owning them should appear. A motion was made in the house of commons for bringing in the bill against occasional conformity: great opposition was made to it; the court was against it, but it was carried by a great majority that such a bill should be brought in. So a new draught was formed; in it the preamble, that was in the former bill, was left out. The number, besides the family, that made a conventicle, was enlarged from five to twelve: and the fine set on those, who went to conventicles, after they had received the sacrament, besides the loss of their employment, was brought down to fifty pounds: these were artifices by which it was hoped, upon such softenings, once to carry the bill on any terms; and when that point was gained, it would be easy afterwards to carry other bills of greater severity. There was now such a division upon this matter, that it was fairly debated in the house of commons; whereas, before, it went there with such a torrent, that no opposition to it could be hearkened to. Those who opposed the bill went chiefly upon this ground, that this bill put the dissenters in a worse condition than they were before: so it was a breach made upon the toleration, which ought not to be done, since they had not deserved it by any ill behaviour of theirs, by which it could be pretended that they had forfeited any of the benefits, designed by that act: things of this kind could have no effect, but to embroil us with new distractions, and to disgust persons well affected to the queen and her government: it was necessary to continue the happy quiet that we were now in, especially in this time of war, in which even the severest of persecutors made their stops, for fear of irritating ill humours too much. The old topics of hypocrisy, and of the danger the church was in, were brought up again on behalf of the bill, and the bill passed in the house of commons by a great majority: and so it was sent up to the lords, where it occasioned one debate of many hours, whether the bill should be entertained, and read a second time, or be thrown out: the prince appeared no more for it, nor did he come to the house upon this occasion; some



who had voted for it, in the former session, kept out of the house, and others owned they saw farther into the design of the bill, and so voted against it. Upon a division it was carried, by a majority of twelve, not to give it a second reading, but to reject it.

The bishops were almost equally divided: there were two more against it than for it; among these, I had the largest share of censure on me, because I spoke much against the bill: I knew how the act of test was carried, as has been already shown in its proper place; I related that in the house, and the many practices of the papists, of setting us of the church against the dissenters, and the dissenters against us by turns, as it might serve their ends; I ventured to say, that a man might lawfully communicate with a church that he thought had a worship and a doctrine uncorrupted, and yet communicate more frequently with a church that he thought more perfect: I myself had communicated with the churches of Geneva and Holland: and yet at the same time communicated with the church of England: so, though the dissenters were in a mistake, as to their opinion, which was the more perfect church, yet allowing them a toleration in that error, this practice might be justified. I was desired to print what I said upon that occasion, which drew many virulent pamphlets upon me, but I answered none of them: I saw the jacobites designed to raise such a flame among us, as might make it scarcely possible to carry on the war; those who went not so deep, yet designed to make a breach on the toleration by gaining this point; and I was resolved never to be silent, when that should be brought into debate; for I have long looked on liberty of conscience as one of the rights of human nature, antecedent to society, which no man could give up because it was not in his own power: and our Saviour's rule, of doing as we would be done by, seemed to be a very express decision to all men who would lay the matter home to their own conscience, and judge as they would willingly be judged by others.

The clergy over England, who were generally inflamed with this matter, could hardly forgive the queen and the prince the coldness that they expressed on this occasion: the lord Godolphin did so positively declare, that he thought the bill unseasonable, and that he had done all he could to hinder its being brought in, that though he voted to give the bill a second reading, that did not reconcile the party to him: they set up the earl of Rochester as the only man to be depended on who deserved to be the chief minister.

The house of commons gave all the supplies that were necessary for carrying on the war: some tried to tack the bill against occasional conformity to the bill of supply, but they had not strength to carry it: the commons showed a very unusual neglect of all that related to the fleet, which was wont to be one of their chief cares; it was surmised, that they saw that if they opened that door, discoveries would be made of errors that could neither be justified, nor palliated, and that these must come home chiefly to their greatest favourites; so they avoided all examinations that would probably draw some censure on them.

The lords were not so tender; they found great fault with the counsels, chiefly with the sending Shovell to the Mediterranean, and Graydon to the West Indies; and laid all the discoveries that were made to them, with their own observations on them, before the queen, in addresses that were very plain, though full of all due respect: they went on likewise in their examinations of the outcry made of the waste of the public treasure in the last reign; they examined the earl of Orford's accounts, which amounted to seventeen millions, and upon which some observations had been made by the commissioners, for examining the public accounts; they found them all to be false in fact, or ill grounded, and of no importance.

The only particular that seemed to give a just colour to exception was very strictly examined: he had victualled the fleet while they lay all winter at Cadiz: the purser's receipts for the quantity that was laid into every ship were produced, but they had no receipts of the Spaniards, from whom they had bought the provisions; but they had entered the prices of them in their own books, and these were given in upon oath. This matter had been much canvassed in the late king's time, and it stood thus: Russel, now earl of Orford, when he had been ordered to lie at Cadiz, wrote to the board of victualling, to send one over to provide the fleet: they answered, that their credit was then so low, that they could not undertake it: so he was desired to do it upon his own credit. It appeared that no fleet nor single ship had ever been victualled so cheap as the fleet was then by him: it was not the custom in Spain to give receipts; but if any fraud had been intended, it would have been

easy to have got the Spaniards, after they had their money, to have signed any receipts that could have been offered them for swelling up the accounts; for the practices of swelling accounts in their dealings with their own court, were well known there. Upon these reasons the lords of the treasury had passed his accounts, and were of opinion that he had done a great service to the government in that whole transaction. The house of lords did now confirm this, and ordered an account of that whole matter to be printed.

The commons made no progress in any discoveries of ill practices in the earl of Ranelagh's office, but concluded that matter with an address to the queen, that she would order a prosecution. This was an artifice to make the nation still think, that great discoveries of corruption might be made, if carefully looked after: it was expected, after such an outcry as they had made, and after the expence the nation was put to, for this commission, and the extraordinary powers that were lodged with the commissioners, that at least some important discoveries should have been made by them.

The commons sent up a bill to the lords for continuing the commission another year: it was observed that an alteration was made of the persons; some who expected better places got their names to be left out. The lords excepted to one Bierly, who was named to be one of the commissioners, because he had been a colonel, and had not yet cleared the accounts of his own regiment; so they struck out his name, and named another; and they added two more, who were not members of the house of commons. The reason of this was, because the members of that house would not appear before them to explain some particulars; they only sent their clerk to inform them, and when the lords sent a message to the house of commons to desire them to order their members to attend on their committee, all the return they had was, that they would send an answer, by messengers of their own; but this was illusory, for they sent no such message. So the lords thought it necessary, in order to their being better informed, to put some in the commission for the future who should be bound to attend upon them as oft as they should be called for. The commons rejected these amendments, and pretended that this was of the nature of a money-bill, and that therefore the lords could make no alterations in it. The message that the commons sent the lords upon this head, came so near the end of the session, that the lords could not return an answer to it, with the reasons for which they insisted on their amendments; so that bill fell.

The charge of this commission amounted to eight thousand pounds a-year; the commissioners made much noise, and brought many persons before them to be examined, and gave great disturbance to all the public offices, what by their attendance on them, what by copying out all their books for their perusal, and yet in a course of many years, they had not made any one discovery; so a full stop was put to this way of proceeding.

An incident happened during this session, which may have great consequences, though in itself it might seem inconsiderable; there have been great complaints long made, and these have increased much within these few years, of great partiality and injustice in the elections of parliament-men, both by sheriffs in counties, and by the returning officers in boroughs. In Aylesbury, the return was made by four constables, and it was believed that they made a bargain with some of the candidates, and then managed the matter, so as to be sure that the majority should be for the person, to whom they had engaged themselves; they canvassed about the town, to know how the voters were set, and they resolved to find some pretence for disabling those who were engaged to vote for other persons than their friends, that they might be sure to have the majority in their own hands. And when this matter came to be examined by the house of commons, they gave the election always for him who was reckoned of the party of the majority, in a manner so barefaced, that they were scarcely out of countenance when they were charged for injustices in judging elections. It was not easy to find a remedy to such a crying abuse, of which all sides in their turns, as they happened to be depressed, had made great complaints; but when they came to be the majority, seemed to have forgot all that they had formerly cried out on. Some few excused this on the topic of retaliation; they said they dealt with others as they had dealt with them, or their friends. At last an action was brought against the constables of Aylesbury, at the suit of one who had been always admitted to vote in former elections, but was denied it in the last election. This was tried at the assizes, and it was found there by the jury, that the

constables had denied him a right of which he was undoubtedly in possession, so they were to be cast in damages; but it was moved in the Queen's Bench to quash all the proceedings in that matter, since no action did lie, or had ever been brought, upon that account. Powel, Gould and Powis were of opinion, that no hurt was done the man; that the judging of elections belonged to the house of commons; that as this action was the first of its kind, so if it was allowed, it would bring on an infinity of suits, and put all the officers concerned in that matter upon great difficulties: lord chief justice Holt, though alone, yet differed from the rest; he thought this was a matter of the greatest importance, both to the whole nation in general, and to every man in his own particular; he made a great difference between an election of a member, and a right to vote in such an election; the house of commons were the only judges of the former, whether it was rightly managed or not, without bribery, fraud or violence; but the right of voting in an election was an original right, founded either on a freehold of forty shillings a-year in the county, or on burgageland, or upon a prescription, or by charter, in a borough: these were all legal titles, and as such were triable in a court of law. Acts of parliament were made concerning them, and by reason of these, every thing relating to those acts was triable in a court of law; he spoke long and learnedly, and with some vehemence upon the subject: but he was one against three, so the order of the court went in favour of the constables\*. The matter was upon that brought before the house of lords by a writ of error; the case was very fully argued at the bar, and the judges were ordered to deliver their opinions upon it, which they did very copiously.

Chief justice Trevor insisted much on the authority that the house of commons had to judge of all those elections; from that he inferred that they only could judge who were the electors: petitions were often grounded on this, that in the poll some were admitted to a vote who had no right to it, and that others were denied it who had a right; so that in some cases they were the proper judges of this right; and if they had it in some cases, they must have it in all. From this he inferred that every thing relating to this matter was triable by them, and by them only; if two independent jurisdictions might have the same case brought before them, they might give contrary judgments in it; and this must breed great distraction in the execution of those judgments.

To all this it was answered, that a single man, who was wronged in this matter, had no other remedy but by bringing it into a court of law: for the house of commons could not examine the right of every voter, if the man, for whom he would have voted, was returned, he could not be heard to complain to the house of commons, though in his own particular he was denied a vote, since he could not make any exceptions to the return; so he must bear his wrong without a remedy, if he could not bring it into a court of law. A right of voting in an election was the greatest of all the rights of an Englishman, since by that he was represented in parliament; the house of commons could give no relief to a man wronged in this, nor any damages; they could only set aside one, and admit of another return; but this was no redress to him that suffered the wrong; it made him to be the less considered in his borough, and that might be a real damage to him in his trade; since this was a right inherent in a man, it seemed reasonable that it should be brought, where all other rights were tried, into a court of law; the abuse was new, and was daily growing, and it was already swelled to a great height; when new disorders happen, new actions must lie, otherwise there is a failure in justice, which all laws abhor; practices of this sort were enormous and crying; and if the judgment in the Queen's Bench was affirmed, it would very much increase these disorders, by this indemnity that seemed to be given to the officers, who took the poll.

After a long debate it was carried by a great majority to set aside the order in the Queen's Bench, and to give judgment according to the verdict given at the assizes. This gave great offence to the house of commons, who passed very high votes upon it, against the man of Aylesbury, as guilty of a breach of their privileges, and against all others who should for the future bring any such suits into courts of law; and likewise against all counsel, attorneys and others, who should assist in any such suits; and they affirmed that the whole matter relating to elections belonged only to them; yet they did not think fit to send for the

\* The arguments of the judges are given very fully in Lord Raymond's Reports ii. 938—958, and in Salkeld's Reports, 19.



man who had sued, or rather in whose name the suit was carried on ; so they let the matter as to him fall, under a show of moderation and pity, and let it rest upon those general votes. The lords on their part ordered the whole state of the case to be drawn up and printed, which was done with much learning and judgment ; they also asserted the right that all the people of England had, to seek for justice in courts of law, upon all such occasions ; and that the house of commons, by their votes, struck at the liberties of the people, at the law of England, and at the judicature of the house of lords ; and they ordered the lord keeper to send a copy of the case and of their votes to all the sheriffs of England, to be communicated to all the boroughs in their counties. The house of commons was much provoked with this, but they could not hinder it ; the thing was popular, and the lords got great credit by the judgment they gave, which let the people of England see how they might be redressed for the future, if they should meet with the injustice, partiality, and other ill practices that had appeared of late in elections, even beyond the examples of former times. This may prove a restraint on the officers, now that they see they are liable to be sued, and that a vote of the house of commons cannot cover them \*.

During the session and on her own birth-day, which was the sixth of February, the queen sent a message to the house of commons, signifying her purpose to apply that branch of the revenue that was raised out of the first-fruits and tenths, paid by the clergy, to the increase of all the small benefices in the nation : this branch was an imposition, begun by the popes, in the time of the holy wars, and it was raised as a fund to support those expeditions : but when taxes are once raised by such an arbitrary power as the popes then assumed, and after there has been a submission, and the payments have been settled into a custom, they are always continued, even after the pretence, upon which they were at first raised, subsists no more : so this became a standing branch of the papal revenue, until Henry the Eighth seemed resolved to take it away : it was first abolished for a year, probably to draw in the clergy, to consent the more willingly to a change, that delivered them from such heavy impositions : but in the succeeding session of parliament, this revenue was again settled as part of the income of the crown for ever. It is true, it was the more easily borne, because the rates were still at the old value, which in some places was not the tenth, and in most not above the fifth part of the true value : and the clergy had been often threatened with a new valuation, in which the rates should be rigorously set to their full extent.

The tenths amounted to about 11,000*l.* a-year, and the first-fruits, which were more casual, rose one year with another, to 5,000*l.*, so the whole amounted to between sixteen and seventeen thousand pounds a-year : this was not brought into the treasury, as the other branches of the revenue ; but the bishops, who had been the pope's collectors, were now the king's, so persons in favour obtained assignments on them, for life, or for a term of years : this had never been applied to any good use, but was still obtained by favourites, for themselves and their friends : and in king Charles the Second's time, it went chiefly among his women and his natural children. It seemed strange, that while the clergy had much credit at court, they had never represented this as sacrilege, unless it was applied to some religious purpose, and that during archbishop Laud's favour with king Charles the First, or at the restauration of king Charles the Second, no endeavours had been used to appropriate this

\* The decision of the court of queen's bench, in this most important case, was reversed in the house of lords by a majority of fifty, opposed by only sixteen. Besides sir John Trevor, the chief justice of the common pleas, baron Price was the only judge that coincided with the three judges of the queen's bench. Chief baron Ward, baron Bury, baron Smith, and justice Tracy agreed with Holt. Justices Neville and Blencowe were absent. Holt emphatically and justly said upon this re-argument, " If such an action comes to be tried before me, I will direct the jury to make the defendant pay well for it. It is denying the plaintiff his English right, and if this action be not allowed, a man may be for ever deprived of it. It is a great privilege to choose such persons as are to bind a man's life and property by the laws they make."

Scarcely any judicial decision ever occasioned such a disturbance in the houses of parliament. The commons made strong resolutions vindicatory of their right alone to determine all matters relative to elections ; which were met by counter resolutions of the peers, quite as strong, declaring that to assert a person deprived of his vote wrongfully, was without a remedy by the ordinary course of law, is destructive of the property of the subject, &c. This occasioned a free conference between the houses, but as neither would yield, the queen soon after dissolved the parliament.—Brown's Cases in Parliament, i. 45 ; Chandler's Debates House of Commons, iii. 308, 388, 395 ; House of Lords, ii. 74, 98 ; Raymond's Rep. ii. 988.

to better uses: sacrilege was charged on other things, on very slight grounds; but this, which was more visible, was always forgotten \*.

When I wrote the history of the reformation, I considered this matter so particularly, that I saw here was a proper fund for providing better subsistence to the poor clergy; we having among us some hundreds of cures that have not of certain provision, twenty pounds a-year; and some thousands that have not fifty: where the encouragement is so small, what can it be expected clergymen should be? It is a crying scandal that at the restauration of king Charles the Second, the bishops and other dignitaries who raised much above a million in fines, yet did so little this way: I had possessed the late queen with this, so that she was fully resolved, if ever she had lived to see peace and settlement, to have cleared this branch of the revenue of all the assignations that were upon it, and to have applied it to the augmentation of small benefices. This is plainly insinuated in the essay that I wrote on her memory, some time after her death. I laid the matter before the late king, when there was a prospect of peace, as a proper expression both of his thankfulness to Almighty God, and of his care of the church; I hoped that this might have gained the hearts of the clergy: it might at least have put a stop to a groundless clamour raised against him, that he was an enemy to the clergy, which began to have a very ill effect on all his affairs. He entertained this so well, that he ordered me to speak to his ministers about it: they all approved it, the lord Somers and the lord Halifax did it in a most particular manner; but the earl of Sunderland obtained an assignation, upon two dioceses, for two thousand pounds a-year for two lives; so nothing was to be hoped for after that. I laid this matter very fully before the present queen, in the king's time, and had spoken often of it to the lord Godolphin.

This time was perhaps chosen to pacify the angry clergy, who were dissatisfied with the court, and began now to talk of the danger the church was in, as much as they had done during the former reign: this extraordinary mark of the queen's piety and zeal for the church produced many addresses, full of compliments, but it has not yet had any great effect in softening the tempers of peevish men. When the queen's message was brought to the house of commons, some of the whigs, particularly sir John Holland and sir Joseph Jekyll †, moved that the clergy might be entirely freed from that tax, since they bore as heavy a share of other taxes; and that another fund might be raised of the same value, out of which small benefices might be augmented; but this was violently opposed by Musgrave, and other Tories, who said the clergy ought to be kept still in a dependence on the crown.

Upon the queen's message, a bill was brought in, enabling her to alienate this branch of the revenue, and to create a corporation by charter, to apply it to the use for which she now

\* The first-fruits, *primitiæ*, or *annates*, were the first year's entire profits of a living, or other spiritual preferment, according to a valuation made under the direction of Pope Innocent the Fourth, by Walter, bishop of Norwich, in 1254 (38 Henry III.) and afterwards increased during the pontificate of Nicholas the Third, in 1292 (20 Edward I.). This last valuation is still preserved in the Exchequer. Tenths, or *decimæ*, were the tenth part of the annual profit of such preferment, according to the same valuation, claimed also by the popes under no more valid title than the command to the Levites, contained in Numbers xviii. 26. This claim met with a vigorous resistance from the English parliament, and a variety of statutes were made to restrain it. That passed in 1405 (6 Henry IV. c. 5) calls it "a horrible mischief and damnable custom." Yet the clergy continued to pay this tax to the papal see as the head of the church, until the statute 26 Henry VIII. c. 3, in 1535, made the king, for the time being, head of the church, and transferred to him the above payments. They continued to be paid to the crown until queen Anne, as mentioned by Burnet, gave them for the improvement of small livings, vesting the funds in trustees by statute 2 Anne, c. 11. It has ever since been known as queen Anne's bounty.—Blackstone's Commentaries, i. 284; Burn's Eccles. Law, ii. 260.

† Sir Joseph Jekyll, the son of a Northamptonshire clergyman, was born in 1663. Adopting the profession of the law, he speedily rose to eminence, was made a serjeant in 1700, and in a few years after became chief justice of Chester. At the death of William he was urged to resign this office, but no threats could induce him to comply with this wish of the court party. In the reign of Anne, as indeed throughout life, he was a truly consistent whig. It will be noticed hereafter, that he was a manager of the trial of Dr. Sacheverel. At the accession of George the First, he was knighted, and in 1717, upon the death of sir John Trevor, he was raised to the mastership of the rolls. Of the jurisdiction of this court he had a dispute with lord chancellor King, and published an essay on the subject. He died in 1738, meriting the character of "a gentleman who meant well, a lover of liberty and his country, an useful subject, an upright lawyer, and an amiable man." His wife, a sister of the great lord Somers, was fond of puzzling the learned Whiston, by asking him odd questions connected with revelation. Once, she enquired of him "why Eve was made of one of Adam's ribs?" He seemed to evade the question, but when she persisted with it, he replied, that he knew no better reason than "because it was the most crooked bone he had."—Gen. Biog. Dict.; Noble's Contin. of Grainger; Woolrych's Life of Jeffreys.

gave it ; they added to this a repeal of the statute of mortmain, so far as that it might be free to all men, either by deed, or by their last wills, to give what they thought fit towards the augmenting of benefices ; it was suggested, how truly I cannot tell, that this addition was made in hope that it would be rejected by the lords, and that the scandal of losing the bill might lie on them. It occasioned a great debate in the house of lords : it was said, that this law was made, and kept up, even during the times of popery, and it seemed not reasonable to open a door to practices upon dying men. It was answered, that we had not the arts of affrighting men by the terrors of purgatory, or by fables of apparitions ; where these were practised, it was very reasonable to restrain priests from those artifices by which they had so enriched their church, that without some such effectual checks they would have swallowed up the whole wealth of the world, as they had indeed in England, during popery, made themselves masters of a full third part of the nation. The bishops were so zealous and unanimous for the bill, that it was carried and passed into a law. The queen was pleased to let it be known, that the first motion of this matter came from me ; such a project would have been much magnified at another time ; and those who had promoted it would have been looked on as the truest friends of the church ; but this did not seem to make any great impression at that time ; only it produced a set of addresses from all the clergy of England, full of thanks and just acknowledgments.

I come now in the last place to give the relation of the discoveries made of a plot which took up much of the lords' time, and gave occasion to many sharp reflections that passed between the two houses in their addresses to the queen. About the same time that the story of Frazer's pass, and negotiations began to break out, sir John Macclean, a papist, and the head of that tribe, or clan, in the Highlands and western isles of Scotland, came over from France in a little boat, and landed secretly at Folkstone, in Kent ; he brought his lady with him, though she had been delivered of a child but eleven days before. He was taken, and sent up to London ; and it seemed, by all circumstances, that he came over upon some important design : he pretended at first, that he came only to go through England and Scotland, to take the benefit of the queen's general pardon there ; but when he was told that the pardon in Scotland was not a good warrant to come into England, and that it was high-treason to come from France, without a pass, he was not willing to expose himself to the severity of the law : so he was prevailed on to give an account of all that he knew, concerning the negotiations between France and Scotland. Some others were at the same time taken up upon his information, and some upon suspicion : among these there was one Keith, whose uncle was one of those who was most trusted by the court of St. Germain, and whom they had sent over with Frazer to bring them an account of the temper the Scotch were in, upon which they might depend. Keith had been long at that court, he had free access both to that queen and prince, and hoped they would have made him under secretary for Scotland ; for some time he denied that he knew any thing, but afterwards he confessed he was made acquainted with Frazer's transactions, and he undertook to deal with his uncle to come and discover all he knew, and pretended there was no other design among them but to lay matters so, that the prince of Wales should reign after the queen. Ferguson offered himself to make great discoveries : he said Frazer was employed by the duke of Queensbury to decoy some into a plot which he had framed and intended to discover as soon as he had drawn many into the guilt ; he affirmed that there was no plot among the jacobites, who were glad to see one of the race of the Stuarts on the throne ; and they designed when the state of the war might dispose the queen to a treaty with France to get such terms given her, as king Stephen and king Henry the Sixth had, to reign during her life. When I heard this, I could not but remember what the duke of Athol had said to myself, soon after the queen's coming to the crown ; I said, " I hoped none in Scotland thought of the prince of Wales : " he answered, " he knew none that thought of him as long as the queen lived : " I replied, " that if any thought of him after that, I was sure the queen would live no longer than till they thought their designs for him were well laid : " but he seemed to have no apprehensions of that. I presently told the queen this, without naming the person, and she answered me very quick, there was no manner of doubt of that ; but though I could not but reflect often on that discourse, yet since it was said to me in confidence, I never spoke of it



to any one person, during all the enquiry that was now on foot : but I think it too material not to set it down here. Ferguson was a man of a particular character ; upon the revolution he had a very good place given him, but his spirit was so turned to plotting, that within a few months after he turned about, and he has been ever since the boldest and most active man of the jacobite party ; he pretended he was now for high church, but many believed him a papist ; there was matter of treason sworn both against him and Keith, but there was only one witness to it.

At the same time Lindsey was taken up, he had been under-secretary first to the earl of Melfort, and then to the earl of Middleton ; he had carried over from France the letters and orders that gave rise to the earl of Dundee's breaking out, the year after the revolution ; and he had been much trusted at St. Germain's ; he had a small estate in Scotland, and he pretended that he took the benefit of the queen's pardon, and had gone to Scotland to save that, and being secured by this pardon, he thought he might come from Scotland to England ; but he could pretend no colour for his coming to England ; so it was not doubted but that he came hither to manage their correspondence and intrigues. He pretended he knew of no designs against the queen and her government ; and that the court of St. Germain's, and the earl of Middleton in particular, had no design against the queen ; but when he was shewed Frazer's commission to be a colonel, signed by the pretended king, and countersigned Middleton, he seemed amazed at it ; he did not pretend it was a forgery, but he said that things of that kind were never communicated to him.

At the same time that these were taken up, others were taken on the coast of Sussex ; one of these, Boucher, was a chief officer in the duke of Berwick's family, who was then going to Spain, but it was suspected that this was a blind to cover his going to Scotland ; the house of lords apprehended that this man was sent on great designs, and suspecting a remissness in the ministry, in looking after and examining those who came from France, they made an address to the queen, that Boucher might be well looked to ; they did also order sir John Macclean to be brought before them ; but the queen sent them a message, that Macclean's business was then in a method of examination, and that she did not think fit to alter that for some time ; but as for Boucher, and those who were taken with him, the earl of Nottingham told the house, that they were brought up, and that they might do with them as they pleased ; upon that the house sent back Macclean, and ordered the usher of the black rod to take the other prisoners into his custody, and they named a committee of seven lords to examine them. At this time the queen came to the parliament, and acquainted both houses that she had unquestionable proofs of a correspondence between France and Scotland, with which she would acquaint them, when the examinations were taken.

The commons were in an ill humour against the lords, and so they were glad to find occasions to vent it. They thought the lords ought not to have entered upon this examination : they complained of it, as of a new and unheard-of thing, in an address to the queen : they said it was an invasion of her prerogative, which they desired her to exert. This was a proceeding without a precedent : the parliamentary method was, when one house was offended with any thing done in the other, conferences were demanded, in which matters were freely debated. To begin an appeal to the throne was new, and might be managed by an ill-designing prince, so as to end in the subversion of the whole constitution ; and it was an amazing thing to see a house of commons affirm, in so public a manner and so positively, that the lords taking criminals into their own custody, in order to an examination, was without warrant or precedent ; when there were so many instances fresh in every man's memory, especially since the time of the popish plot, of precedents in both houses, that went much further ; of which a full search has been made, and a long list of them was read in the house of lords. That did not a little confound those among them, who were believed to be in a secret correspondence with the house of commons ; they were forced to confess that they saw the lords had clear precedents to justify them in what they had done, of which they were in great doubt before.

The lords upon this made a very long address to the queen, in which they complained of the ill usage they had met with from the house of commons : they used none of those hard words that were in the address made against them by the house of commons, yet they

justified every step they had taken, as founded on the law and practice of parliament, and no way contrary to the duty and respect they owed the queen. The behaviour of the house of commons was such, on this occasion, as if they had no mind that plots should be narrowly looked into: no house of parliament, and indeed no court of judicature, did examine any person without taking him into their own custody, during such examination; and if a person's being in custody must restrain a house of parliament from examining him, here was a maxim laid down, by which bad ministers might cover themselves from any enquiry into their ill practices, only by taking the persons who could make discoveries into custody. The lords also set forth the ill consequences that might follow upon one house of parliament carrying their complaints of another to the throne, without taking first the proper method of conferences. This address was drawn with the utmost force, as well as beauty and decency of style; and was reckoned one of the best pieces of its kind that were in all the records of parliament. The queen, in her answer, expressed a great concern to see such a dispute between the two houses.

Boucher, when he was examined, would confess nothing. He said he was weary of living so long out of his country, and that having made some attempt to obtain a pass, when that was denied him, he chose, rather than to live always abroad, to come and cast himself upon the queen's mercy. It did not seem reasonable to believe this: so the lords made an address to the queen, that he might have no hopes of pardon till he was more sincere in his discoveries; and they prayed that he might be prosecuted on the statute. He confessed his crime, and was condemned, but continued still denying that he knew anything. Few could believe this; yet, there being no special matter laid against him, his case was to be pitied. He proved that he had saved the lives of many prisoners during the war of Ireland, and that, during the war in Flanders, he had been very careful of all English prisoners. When all this was laid before the lords, they did not think fit to carry the matter farther, so he was reprieved, and that matter slept.

About the end of January the queen sent the examinations of the prisoners to the two houses. The house of commons heard them read, but passed no judgment upon them, nor did they offer any advice to the queen upon this occasion; they only sent them back to the queen, with thanks for communicating them, and for her wisdom and care of the nation. It was thought strange, to see a business of this nature treated so slightly by a body that had looked, in former times, more carefully to things of this kind; especially since it had appeared, in many instances, how dexterous the French were in raising distractions in their enemies' country. It was evident that a negotiation was begun, and had been now carried on for some time, for an army that was to be sent from France to Scotland: upon this, which was the main of the discovery, it was very amazing to see that the commons neither offered the queen any advice, nor gave her a vote of credit, for any extraordinary expense in which the progress of that matter might engage her: a credit so given might have had a great effect towards defeating the design, when it appeared how well the queen was furnished to resist it. This coldness in the house of commons gave great and just ground of suspicion, that those who had the chief credit there did not act heartily, in order to the defeating all such plots, but were willing to let them go on, without check or opposition.

The lords resolved to examine the whole matter narrowly. The earl of Nottingham laid before them, an abstract of all the examinations the council had taken; but some took great exceptions to it, as drawn on design to make it appear more inconsiderable than they believed it to be. The substance of the whole was, that there went many messages between the courts of St. Germain and Versailles, with relation to the affairs of Scotland: the court of Versailles was willing to send an army to Scotland, but they desired to be well assured of the assistance they might expect there; in order to which some were sent over, according to what Frazer had told the duke of Queensbury: some of the papers were written in gibberish, so the lords moved that a reward should be offered to any who should decipher these. When the lords asked the earl of Nottingham if every thing was laid before them, he answered that there was only one particular kept from them; because they were in hopes of a discovery, that was likely to be of more consequence than all the rest. So after the delay of a few days to see the issue of it, which was Keith's endeavouring to persuade his

uncle (who knew every step that had been made in the whole progress of this affair) to come in and discover it, when they were told there was no more hope of that, the lords ordered the committee, which had examined Boucher, to examine into all these discoveries. Upon this the commons, who expressed a great uneasiness at every step the lords made in the matter, went with a new address to the queen, insisting on their former complaints against the proceedings of the lords, as a wresting the matter out of the queen's hands and the taking it wholly into their own: and they prayed the queen to resume her prerogative, thus violated by the lords, whose proceedings they affirmed to be without a precedent.

The seven lords went on with their examinations, and after some days they made a report to the house. Macclean's confession was the main thing, it was full and particular: he named the persons that sat in the council at St. Germain's: he said the command was offered to the duke of Berwick, which he declined to accept till trial was made whether duke Hamilton would accept of it, who he thought was the proper person: he told likewise what directions had been sent to hinder the settling the succession in Scotland; none of which particulars were in the paper that the earl of Nottingham had brought to the house of his confession. It was further observed that all the rest, whose examinations amounted to little, were obliged to write their own confessions, or at least to sign them. But Macclean had not done this; for after he had delivered his confession by word of mouth to the earl of Nottingham, that lord wrote it all from his report, and read it to him the next day; upon which he acknowledged it contained a full account of all he had said. Macclean's discovery to the lords was a clear series of all the counsels and messages, and it gave a full view of the debates and opinions in the council at St. Germain's, all which was omitted in that which was taken by the earl of Nottingham, and his paper concerning it was both short and dark: there was an appearance of truth in all that Macclean told, and a regular progress was set forth in it.

Upon these observations, those lords who were not satisfied with the earl of Nottingham's paper, intended to have passed a censure upon it as imperfect. It was said, in the debate that followed upon this motion, either Macclean was asked who was to command the army to be sent into Scotland, or he was not. If he was asked the question, and had answered it, then the earl of Nottingham had not served the queen or used the parliament well, since he had not put it in the paper: if it was not asked, here was a great remissness in a minister, when it was confessed that the sending over an army was in consultation, not to ask who was to command that army. Upon this occasion the earl of Torrington made some reflections that had too deep a venom in them: he said the earl of Nottingham did prove that he had often read over the paper, in which he had set down Macclean's confession, in his hearing, and had asked him if all he had confessed to him was not fully set down in that paper; to which he always answered, that every thing he had said was contained in it. Upon this, that earl observed, that Macclean, having perhaps told his whole story to the earl of Nottingham, and finding afterwards that he had written such a defective account of it, he had reason to conclude (for he believed, had he been in his condition, he should have concluded so himself,) that the earl of Nottingham had no mind that he should mention any thing but what he had written down, and that he desired that the rest might be suppressed. He could not judge of others but by himself: if his life had been in danger, and if he were interrogated by a minister of state, who could do him either much good or much hurt, and if he had made a full discovery to him, but had observed that this minister in taking his confession in writing had omitted many things, he should have understood that as an intimation that he was to speak of these things no more; and so he believed he should have said it was all, though at the same time he knew it was not all, that he had said. It was hereupon moved that Macclean might be sent for and interrogated, but the party was not strong enough to carry any thing of that kind; and by a previous vote it was carried, to put no question concerning the earl of Nottingham's paper.

The lords were highly offended with Ferguson's paper, and passed a severe vote against those lords who had received such a scandalous paper from him, and had not ordered him



to be prosecuted upon it, which they directed the attorney-general to do. It was apparent there was a train of dangerous negotiations that passed between Scotland and St. Germain, though they could not penetrate into the bottom and depth of it; and the design of Keith's bringing in his uncle was managed so remissly, that it was generally concluded that it was not in earnest desired it should succeed. During these debates, one very extraordinary thing happened. The earl of Nottingham did, upon three or four occasions, affirm that some things had been ordered in the cabinet council, which the dukes of Somerset and Devonshire, who were likewise of that council, did not agree with him in.

After all these examinations and debates, the lords concluded the whole matter with voting that there had been dangerous plots between some in Scotland and the court of France and St. Germain; and that the encouragement of this plotting came from the not settling the succession to the crown of Scotland in the house of Hanover. These votes they laid before the queen, and promised, that when this was done, they would endeavour to promote the union of the two kingdoms, upon just and reasonable terms.

This being ended, they made a long and vigorous address, in answer to that which the commons had made against them. They observed how uneasy the commons had been at the whole progress of their inquiry into this matter, and had taken methods to obstruct it all they could; which did not show that zeal for the queen's safety, and the preservation of the nation, to which all men pretended. They annexed to their address a list of many precedents, to show what good warrants they had for every step they had made. They took not the examination to themselves, so as to exclude others who had the same right, and might have done it as well as they if they had pleased. Their proceedings had been regular and parliamentary, as well as full of zeal and duty to the queen. They made severe observations on some of the proceedings in the house of commons, particularly on their not ordering writs to be issued out for some boroughs, to proceed to new elections, when they, upon pretence of corruption, had voted an election void; which had been practised of late, when it was visible that the election would not fall on the person they favoured. They charged this as a denial of justice, and of the right that such boroughs had to be represented in parliament, and as an arbitrary and illegal way of proceeding. This address was penned with great care and much force. These addresses were drawn by the lord Somers, and were read over and considered and corrected very critically by a few lords, among whom I had the honour to be called for one. This, with the other papers that were published by the lords, made a great impression on the body of the nation: for the difference that was between these, and those published by the house of commons, was indeed so visible, that it did not admit of any comparison, and was confessed even by those who were the most partial to them.

An act passed in this session, which may be of great advantage to the nation, if well executed; otherwise, since it is only enacted for one year, it will not be of much use. It empowers the justices of peace, or any three of them, to take up such idle persons as have no callings nor means of subsistence, and to deliver them to the officers of the army, upon paying them the levy money that is allowed for making recruits. The methods of raising these hitherto by drinking and other bad practices, as they were justly odious, so they were now so well known that they were no more of any effect: so that the army could not be recruited, but by the help of this act. And if this is well managed it will prove of great advantage to the nation; since, by this means, they will be delivered from many vicious and idle persons, who are become a burden to their country. And indeed there was of late years so great an increase of the poor, that their maintenance was become in most places a very heavy load, and amounted to the full half of the public taxes. The party in both houses, that had been all along cold and backward in the war, opposed this act with unusual vehemence; they pretended zeal for the public liberty and the freedom of the person, to which, by the constitution, they said every Englishman had a right; which they thought could not be given away but by a legal government, and for some crime. They thought this put a power in the hands of justices of peace, which might be stretched and abused to serve bad ends. Thus men that seemed engaged to an interest that was destructive to all liberty, could yet

make use of that specious pretence, to serve their purpose. The act passed, and has been continued from year to year with a very good effect; only a visible remissness appears in some justices, who are secretly influenced by men of ill designs\*.

The chief objection made to it in the house of lords was, that the justices of peace had been put in and put out in so strange a manner, ever since Wright had the great seal, that they did not deserve so great a power should be committed to them. Many gentlemen of good estates and ancient families had been of late put out of the commission, for no other visible reason, but because they had gone in heartily to the revolution, and had continued zealots for the late king. This seemed done on design to mark them, and to lessen the interest they had in the elections of members of parliament: and at the same time, men of no worth nor estate, and known to be ill-affected to the queen's title, and to the protestant succession, were put in, to the great encouragement of ill-designing men. All was managed by secret accusations and characters that were very partially given. Wright was a zealot to the party, and was become very exceptionable in all respects. Money, as was said, did every thing with him; only in his court I never heard him charged for any thing but great slowness, by which the chancery was become one of the heaviest grievances of the nation. An address was made to the queen, complaining of the commissions of the peace, in which the lords delivered their opinion, that such as would not serve or act under the late king, were not fit to serve her majesty.

With this the session of parliament was brought to a quiet conclusion, after much heat and a great deal of contention between the two houses. The queen, as she thanked them for the supplies, so she again recommended union and moderation to them. These words, which had hitherto carried so good a sound, that all sides pretended to them, were now become so odious to violent men, that even in sermons, chiefly at Oxford, they were arraigned as importing somewhat that was unkind to the church, and that favoured the dissenters. The house of commons had, during this session, lost much of their reputation, not only with fair and impartial judges, but even with those who were most inclined to favour them. It is true, the body of the freeholders began to be uneasy under the taxes, and to cry out for a peace: and most of the capital gentry of England, who had the most to lose, seemed to be ill-turned, and not to apprehend the dangers we were in, if we should fall under the power of France, and into the hands of the pretended prince of Wales; or else they were so fatally blinded, as not to see that these must be the consequences of those measures in which they were engaged.

The universities, Oxford especially, have been very unhappily successful in corrupting the principles of those who were sent to be bred among them: so that few of them escaped the taint of it, and the generality of the clergy were not only ill-principled but ill-tempered. They exclaimed against all moderation, as endangering the church, though it is visible that the church is in no sort of danger from either the numbers or the interest that the dissenters have among us, which by reason of the toleration is now so quieted, that nothing can keep up any heat in those matters but the folly and bad humour that the clergy are possessed with, and which they infuse into all those with whom they have credit. But at the same time, though the great and visible danger that hangs over us is from popery, which a miscarriage in the present war must let in upon us, with an inundation not to be either resisted or recovered, they seem to be blind on that side, and to apprehend and fear nothing from that quarter.

The convocation did little this winter, they continued their former ill practices; but little opposition was made to them, as very little regard was had to them. They drew up a representation of some abuses in the ecclesiastical discipline, and in the consistorial courts; but took care to mention none of those greater ones, of which many among themselves were eminently guilty, such as pluralities, non-residence, the neglect of their cures, and the irregularities in the lives of the clergy, which were too visible.

Soon after the session was ended, the duke of Marlborough went over to Holland. He had gone over for some weeks, at the desire of the States, in January, and then there was a scheme formed for the operations of the next campaign. It was resolved that, instead of a

statute, 2 & 3 Anne, c. xix. was allowed to expire.

fruitless one in the Netherlands, they would have a small army there, to lie only on the defensive, which was to be commanded by M. Auverquerque ; but that, since the Rhine was open, by the taking of Bonn, all up to the Moselle, their main army, that was to be commanded by the duke of Marlborough, should act there. More was not understood to be designed, except by those who were taken into the confidence. Upon this all the preparations for the campaign were ordered to be carried up to the Rhine ; and so every thing was in a readiness when he returned back to them in April. The true secret was in few hands, and the French had no hint of it, and seemed to have no apprehensions about it.

The earl of Nottingham was animated by the party, to press the queen to dismiss the dukes of Somerset and Devonshire from the cabinet council, at least that they might be called thither no more. He moved it often, but finding no inclination in the queen to comply with his motion, he carried the signet to her, and told her he could not serve any longer in councils to which these lords were admitted ; but the queen desired him to consider better of it. He returned next day, fixed in his first resolution, to which he adhered the more steadily, because the queen had sent to the earl of Jersey for the lord chamberlain's staff, and to sir Edward Seymour for the comptroller's. The earl of Jersey was a weak man, but crafty and well practised in the arts of a court : his lady was a papist : and it was believed that, while he was ambassador in France, he was secretly reconciled to the court of St. Germain's ; for after that he seemed in their interests. It was one of the reproaches of the last reign that he had so much credit with the late king, who was so sensible of it, that if he had lived a little while longer, he would have dismissed him. He was considered as the person that was now in the closest correspondence with the court of France ; and though he was in himself a very inconsiderable man, yet he was applied to by all those who wished well to the court of St. Germain's. The earl of Kent had the staff : he was the first earl of England, and had a great estate. Mansell, the heir of a great family in Wales, was made comptroller. And, after a month's delay, Harley, the speaker, was made secretary of state.

But now I turn to give an account of the affairs abroad. The emperor was reduced to the last extremities ; the elector of Bavaria was master of the Danube all down to Passau ; and the mal-contents in Hungary were making a formidable progress. The emperor was not in a condition to maintain a defensive war long on both hands, so that when these should come to act by concert, no opposition could be made to them. Thus his affairs had a very black appearance, and utter ruin was to be apprehended. Vienna would be probably besieged on both sides, and it was not in a condition to make a long defence ; so the house of Austria seemed lost. Prince Eugene proposed that the emperor should implore the queen's protection : this was agreed to, and count Wratislaw managed the matter at our court with great application and secrecy. The duke of Marlborough saw the necessity of undertaking it, and resolved to try, if it was possible, to put it in execution. When he went into Holland in the winter, he proposed it to the pensioner and other persons of the greatest confidence ; they approved of it : but it was not advisable to propose it to the States : at that time many of them would not have thought their country safe, if their army should be sent so far from them ; nothing could be long a secret that was proposed to such an assembly, and the main hope of succeeding in this design lay in the secrecy with which it was conducted. Under the blind of the project of carrying the war to the Moselle, every thing was prepared that was necessary for executing the true design. When the duke went over the second time, that which was proposed in public related only to the motions towards the Moselle : so he drew his army together in May. He marched towards the Moselle ; but he went further ; and, after he had gained the advance of some days of the French troops, he wrote to the States, from Ladenburg, to let them know that he had the queen's order, to march to the relief of the empire, with which he hoped they would agree, and allow of his carrying their troops to share in the honour of that expedition. He had their answer as quick as the courier could carry it, by which they approved of the design, and of his carrying their troop with him.

So he marched with all possible expedition from the Rhine to the Danube ; which was a great surprise to the court of France, as well as to the elector of Bavaria. The king of



France sent orders to mareschal Tallard to march in all haste with the best troops they had to support the elector, who apprehended that the duke of Marlborough would endeavour to pass the Danube at Donawert, and so to break into Bavaria. To prevent that, he posted about sixteen thousand of his best troops at Schellenberg, near Donawert, which was looked on as a very strong and tenable post. The duke of Marlborough joined the prince of Baden, with the imperial army, in the beginning of July, and after a long march, continued from three in the morning, they came up to the Bavarian troops towards the evening. They were so well posted that our men were repulsed in the three first attacks, with great loss: at last the enemy were beaten from their posts, which was followed with a total rout, and we became masters of their camp, their artillery, and their baggage. Their general, Arco, with many others, swam over the Danube: others got into Donawert, which they abandoned next morning with that precipitation, that they were not able to execute the elector's cruel orders, which were, to set fire to the town, if they should be forced to abandon it; great quantities of straw were laid in many places as a preparation for that, in case of a misfortune.

The best half of the Bavarian forces were now entirely routed, about five thousand of them were killed. We lost as many, for the action was very hot, and our men were much exposed; yet they went still on, and continued the attack with such resolution, that it let the generals see how much they might depend on the courage of their soldiers. Now we were masters of Donawert, and, thereby, of a passage over the Danube, which laid all Bavaria open to our army. Upon that the elector, with mareschal Marsin, drew the rest of his army under the cannon of Augsburg, where he lay so well posted, that it was not possible to attack him, nor to force him out of it. The duke of Marlborough followed him, and got between him and his country, so that it was wholly in his power. When he had him at this disadvantage, he entered upon a treaty with him, and offered him what terms he could desire, either for himself or his brother, even to the paying him the whole charge of the war, upon condition that he would immediately break with the French and send his army into Italy, to join with the imperialists there. His subjects, who were now at mercy, pressed him vehemently to accept of those terms: he seemed inclined to hearken to them, and messengers went often between the two armies: but this was done only to gain time, for he sent courier after courier, with most pressing instances, to hasten the advance of the French army. When he saw he could gain no more time, the matter went so far that the articles were ordered to be made ready for signing. In conclusion, he refused to sign them; and then severe orders were given for military execution on his country. Every thing that was within the reach of the army, that was worth taking, was brought away, and the rest was burnt and destroyed.

The two generals did after that resolve on further action, and since the elector's camp could not be forced, the siege of Ingolstad was to be carried on: it was the most important place he had, in which his great magazines were laid up. The prince of Baden went to besiege it, and the duke of Marlborough was to cover the siege, in conjunction with prince Eugene, who commanded a body of the imperial army, which was now drawn out of the posts in which they had been put, in order to hinder the march of the French: but they were not able to maintain them against so great a force as was now coming up; these formed a great army. Prince Eugene, having intelligence of the quick motions of the French, posted his troops, that were about eighteen thousand, as advantageously as he could, and went to concert matters with the duke of Marlborough, who lay at some distance. He upon that marched towards the prince's army with all possible haste, and so the two armies joined. It was now in the beginning of August. The elector, hearing how near M. Tallard was, marched with M. Marsin and joined him. Their armies advanced very near ours, and were well posted, having the Danube on one side and a rivulet on the other, whose banks were high, and in some places formed a morass before them. The two armies were now in view one of another. The French were superior to us in foot by about ten thousand; but we had three thousand more horse than they. The post of which they were possessed was capable of being, in a very little time, put out of all danger of future attacks. So the duke of Marlborough and prince Eugene saw how important it was to lose no time, and resolved

to attack them the next morning. They saw the danger of being forced otherwise to lie idle in their camp, until their forage should be consumed, and their provisions spent. They had also intercepted letters from mareschal Villeroy to the elector, by which it appeared that he had orders to march into Wirtemberg, to destroy that country, and to cut off the communication with the Rhine, which must have been fatal to us. So the necessary dispositions were made for the next morning's action. Many of the general officers came and represented to the duke of Marlborough the difficulties of the design. He said he saw these well, but the thing was absolutely necessary. So they were sent to give orders everywhere, which was received all over the army with an alacrity that gave a happy presage of the success that followed.

I will not venture on a particular relation of that great day: I have seen a copious account of it, prepared by the duke of Marlborough's orders, that will be printed some time or other; but there are some passages in it, which make him not think it fit to be published presently. He told me he never saw more evident characters of a special providence than appeared that day; a signal one related to his own person: a cannon-ball went into the ground so near him, that he was some time quite covered with the cloud of dust and earth that it raised about him. I will sum up the action in a few words.

Our men quickly passed the brook, the French making no opposition. This was a fatal error, and was laid wholly to Tallard's charge. The action that followed was for some time very hot, many fell on both sides: ten battalions of the French stood their ground, but were in a manner mowed down in their ranks; upon that the horse ran many of them into the Danube, most of these perished: Tallard himself was taken prisoner. The rest of his troops were posted in the village of Blenheim: these, seeing all lost, and that some bodies were advancing upon them, which seemed to them to be thicker than indeed they were, and apprehending that it was impossible to break through, they did not attempt it, though brave men might have made their way. Instead of that, when our men came up to set fire to the village, the earl of Orkney first beating a parley, they hearkened to it very easily, and were all made prisoners of war: there were about thirteen hundred officers and twelve thousand common soldiers, who laid down their arms, and were now in our hands. Thus all Tallard's army was either killed in the action, drowned in the Danube, or become prisoners by capitulation. Things went not so easily on prince Eugene's side, where the elector and Marsin commanded: he was repulsed in three attacks, but carried the fourth, and broke in; and so he was master of their camp, cannon, and baggage. The enemy retired in some order, and he pursued them as far as men wearied with an action of about six hours, in an extremely hot day, could go. Thus we gained an entire victory. In this action there were on our side about twelve thousand killed and wounded: but the French and the elector lost about forty thousand killed, wounded, and taken\*.

The elector marched with all the haste he could to Ulm, where he left some troops, and then with a small body got to Villeroy's army. Now all Bavaria was at mercy: the electress received the civilities due to her sex, but she was forced to submit to such terms as were imposed on her: Ingolstadt and all the fortified places in the electorate, with the magazines that were in them, were soon delivered up: Augsburg, Ulm, and Memming, quickly recovered their liberty: so now our army, having put a speedy conclusion to the war that was got so far into the bowels of the empire, marched quickly back to the Rhine. The emperor made great acknowledgments of this signal service which the duke of Marlborough had done him, and upon it offered to make him a prince of the empire. He very decently said he could not accept of this till he knew the queen's pleasure: and, upon her consenting to it, he was created a prince of the empire, and about a year after Mindelheim was assigned him for his principality.

Upon this great success in Germany, the duke of Savoy sent a very pressing message for a present supply. The duke of Vendome was in Piedmont, and after a long siege had taken Vercell, and was likely to make a further progress. The few remains of the imperial army

\* It was for this victory of Blenheim that the honour of Woodstock, now known as Blenheim House, &c. were bestowed upon the duke of Marlborough. For particulars of this and others of the duke's exploits, the reader is again referred to Coxe's "Memoirs and Correspondence" of that great general.

that lay in the Modenese gave but a small diversion : the grand prior had so shut them up, that they lay on a feeble defensive. Baron Leiningen was sent with another small army into the Brescian ; but he was so ill supplied, that he could do nothing but eat up the country : and the Venetians were so feeble and so fearful, that they suffered their country to be eat up by both sides, without declaring for or against either. The prince of Baden insisted on undertaking the siege of Landau, as necessary to secure the circles, Suabia in particular, from the excursions of that garrison. This was popular in Germany, and though the duke of Marlborough did not approve it, he did not oppose it, with all the authority that his great success gave him. So the prince of Baden undertook it, while the duke with his army covered the siege. This was universally blamed, for, while France was in the consternation which the late great loss brought them under, a more vigorous proceeding was likely to have greater effects ; besides that the imperial army was ill provided, the great charge of a siege was above their strength. The prince of Baden suffered much in his reputation for this undertaking : it was that which the French wished for, and so it was suspected that some secret practice had prevailed on that prince to propose it. It is certain that he was jealous of the glory the duke had got, in which he had no share ; and it was believed that if he had not gone to besiege Ingolstadt, the battle had never been fought. He was indeed so fierce a bigot in religion, that he could not bear the successes of those he called heretics, and the exaltation which he thought heresy might have upon it.

While the duke of Marlborough lay covering the siege, Villeroy with his army came and looked on him ; but, as our soldiers were exalted with their success, so the French were too much dispirited with their losses to make any attack, or to put any thing to hazard, in order to raise the siege. They retired back, and went into quarters, and trusted to the bad state of the imperial army, who were ill provided and ill supplied : the garrison made as vigorous a defence, and drew out the siege to as great a length as could be expected. The prince of Baden had neither engineers nor ammunition, and wanted money to provide them ; so that if the duke had not supplied him, he must have been forced to give it over. The king of the Romans came again to have the honour of taking the place : his behaviour there did not serve to raise his character : he was not often in the places of danger, and was content to look on at a great and safe distance : he was always beset with priests, and such a face of superstition and bigotry appeared about him, that it very much damped the hopes that were given of him.

When it appeared that there was no need of an army to cover the siege, and that the place could not hold out many days, the duke of Marlborough resolved to possess himself of Trier, as a good winter quarter, that brought him near the confines of France, from whence he might open the campaign next year with great advantage ; and he reckoned that the taking of Traerback, even in that advanced season, would be soon done, and then the communication with Holland, by water, was all clear : so that during the winter, every thing that was necessary could be brought up thither from Holland safe and cheap. This he executed with that diligence, that the French abandoned every place as he advanced with such precipitation, that they had not time given them to burn the places they forsook, according to the barbarous method which they had long practised. The duke got to Trier, and that being a large place he posted a great part of his army in and about it, and left a sufficient force with the prince of Hesse for the taking of Traerback, which held out some weeks, but capitulated at last. Landau was not taken before the middle of November.

Thus ended this glorious campaign, in which England and Holland gained a very unusual glory ; for as they had never sent their armies so far by land, so their triumphant return helped not a little to animate and unite their counsels. Prince Eugene had a just share in the honour of this great expedition, which he had chiefly promoted by his counsels, and did so nobly support by his conduct. The prince of Baden had no share in the public joy : his conduct was as bad as could be, and the fret he was possessed with, upon the glory that the other generals carried from him, throw him, as was believed, into a languishing, of which he never quite recovered, and of which he died two years after.



At the conclusion of the campaign, the duke of Marlborough went to Berlin, where he concerted the measures for the next campaign, and agreed with the king of Prussia for eight thousand of his troops, which were to be sent to Italy upon the queen's pay. He had settled matters with the emperor's ministers, so that they undertook to send prince Eugene with an army of twenty thousand men, who should begin their march into Italy as soon as it was possible to pass the mountains: of these, the queen and the States were to pay sixteen thousand. He returned by the court of Hanover, where he was treated with all the honour that the success of the campaign well deserved. He met with the same reception in Holland, and was as much considered and submitted to as if he had been their stadtholder. The credit he was in among them was very happy to them, and was indeed necessary at that time for keeping down their factions and animosities, which were rising in every province and in most of their towns. Only Amsterdam, as it was the most sensible of the common danger, so it was not only quiet within itself, but it contributed not a little to keep all the rest so, which was chiefly maintained by the duke of Marlborough's prudent management. England was full of joy, and addresses of congratulation were sent up from all parts of the nation; but it was very visible that, in many places, the tories went into these very coldly, and perhaps that made the whigs more zealous and affectionate.

I now turn to the other element, where our affairs were carried on more doubtfully. Rook sailed into the Straits, where he reckoned he was strong enough for the Toulon squadron, which was then abroad in the Mediterranean. Soon after that, a strong squadron from Brest passed by Lisbon into the Straits. Methuen, our ambassador there, apprehending that if these two squadrons should join to attack Rook, it would not be possible for him to fight against so great a force, sent a man-of-war, that Rook had left at Lisbon, with some particular orders, which made him very unwilling to carry the message, but Methuen promised to save him harmless. He upon that sailed through the French fleet, and brought this important advertisement to Rook, who told him, that on this occasion he would pass by his not observing his orders, but that, for the future, he would find the safest course was to obey orders. Upon this, Rook stood out of the way of the French, towards the mouth of the Straits, and there he met Shovel with a squadron of our best ships; so, being thus reinforced, he sailed up the Straits, being now in a condition, if need were, to engage the French. He came before Barcelona, where the prince of Hesse Darmstadt assured him there was a strong party ready to declare for king Charles, as it was certain that there was a great disposition in many to it. But Rook would not stay above three days before it: so that the motions within the town, and the discoveries that many made of their inclinations, had almost proved fatal to them. He answered, when pressed to stay a few days more, that his orders were positive; he must make towards Nice; which it was believed the French intended to besiege.

But, as he was sailing that way, he had advice that the French had made no advances in that design: so he turned his course westward, and came in sight of the French fleet, sailing from Brest to Toulon. The advantage he had was so visible, that it was expected he would have made towards them: he did it not: what orders he had was not known, for the matter never came under examination. They got to Toulon, and he steered another way. The whole French fleet was then together in that harbour; for though the Toulon squadron had been out before, it was then in port.

A very happy accident had preserved a rich fleet of merchant ships from Scanderoon, under the convoy of three or four frigates, from falling into their hands. The French fleet lay in their way in the bay of Tunis, and nothing could have saved them from being taken but that which happened in the critical minute in which they needed it: a thick fog covered them all the while that they were sailing by that bay, so that they had no apprehension of the danger they were in till they had passed it. I know it is not possible to determine, when such accidents rise from a chain of second causes in the course of nature, and when they are directed by a special providence; but my mind has always carried me so strongly to acknowledge the latter, that I love to set these reflections in the way of others, that they may consider them with the same serious attention that I feel in myself.

Rook, as he sailed back, fell in upon Gibraltar, where he spent much powder, bombarding it to very little purpose, that he might seem to attempt somewhat, though there was no reason to hope that he could succeed : some bold men ventured to go ashore in a place where it was not thought possible to climb up the rocks, yet they succeeded in it : when they got up, they saw all the women of the town were come out, according to their superstition, to a chapel there, to implore the virgin's protection : they seized on them, and that contributed not a little to dispose those in the town to surrender. They had leave to stay, or go, as they pleased ; and, in case they stayed, they were assured of protection in their religion, and in every thing else ; for the prince of Hesse, who was to be their governor, was a papist. But they all went away with the small garrison that had defended the place. The prince of Hesse, with the marines that were on board the fleet, possessed himself of the place, and they were furnished out of the stores, that went with the fleet, with every thing that was necessary for their subsistence or defence ; and a regular method was laid down of supplying them constantly from Lisbon.

It has been much questioned, by men who understand these matters well, whether our possessing ourselves of Gibraltar, and our maintaining ourselves in it so long, was to our advantage or not. It has certainly put us to a great charge, and we have lost many men in it ; but it seems the Spaniards, who should know the importance of the place best, think it so valuable, that they have been at a much greater charge, and have lost many more men, while they have endeavoured to recover it, than the taking or keeping it has cost us. And it is certain that in War, whatsoever loss on one side occasions a greater loss of men, or of treasure, to the other, must be reckoned a loss only to the side that suffers most.

Our expedition in Portugal, and our armies there, which cost us so dear, and from which we expected so much, had not hitherto had any great effect. The king of Portugal expressed the best intentions possible ; but he was much governed by his ministers, who were all in the French interests : they had a great army, but they had made no preparations for taking the field ; nor could they bring their troops together for want of provisions and carriages ; the forms of their government made them very slow, and not easily accessible. They were too proud to confess that they wanted anything when they had nothing, and too lazy to bestir themselves to execute what was in their power to do ; and the king's ill health furnished them with an excuse for every thing that was defective and out of order. The priests both in Spain and Portugal were so universally in the French interest, that even the house of Austria, that had been formerly so much in their favour, was now in disgrace with them. Their alliance with heretics, and their bringing over an army of them to maintain their pretensions, had made all their former services be forgotten. The governing body at Rome did certainly engage all their zealots everywhere to support that interest which is now so set on the destruction of heresy. King Philip advanced towards the frontiers of Portugal, his army being commanded by the duke of Berwick, who began to shine there, though he had passed elsewhere for a man of no very great character. They had several advantages of the Portuguese : some of the English and Dutch battalions, which were so posted that they could not be relieved, and in places that were not tenable, fell into the enemy's hands, and were made prisoners of war. Some of the general officers who came over said to me, that, if the duke of Berwick had followed his advantages, nothing could have hindered his coming to Lisbon. The duke of Schomberg was a better officer in the field than in the cabinet ; he did not enough know how to prepare for a campaign, he was both too inactive and too haughty ; so it was thought necessary to send another to command. The earl of Galway was judged the fittest person for that service : he undertook it, more in submission to the queen's commands than out of any great prospect or hopes of success. Things went on very heavily there : the distraction that the taking Gibraltar put the Spaniards in, as it occasioned a diversion of some of the Spanish forces that lay on their frontier, so it furnished them with advantages, which they took no care to improve.

Rook, after he had supplied Gibraltar, sailed again into the Mediterranean, and there he met the count of Thoulouse with the whole French fleet. They were superior to the English in number, and had many galleys with them that were of great use. Rook called

a council of war, in which it was resolved to engage them. There was not due care taken to furnish all the ships with a sufficient quantity of powder, for some had wasted a great part of their stock of ammunition before Gibraltar, yet they had generally twenty-five rounds, and it had seldom happened that so much powder was spent in an action at sea. On the 12th of August, just ten days after the battle of Hocksted, the two fleets engaged. Shovel advanced with his squadron to a close fight, for it was the maxim of our seamen to fight as near as they could: he had the advantage, and the squadron before him gave way. Rook fought at a greater distance; many broadsides passed, and the engagement continued till night parted them: some ships, that had spent all their ammunition, were forced on that account to go out of the line, and if the French had come to a new engagement next day, it might have been fatal, since many of our ships were without powder, whilst others had enough and to spare.

In this long and hot action there was no ship of either side that was either taken, sunk, or burnt. We made a show the next day of preparing for a second engagement, but the enemy bore off, to the great joy of our fleet. The French suffered much in this action, and went into Toulon so disabled, that they could not be put in a condition to go to sea again in many months. They left the sea, as the field of battle, to us; so the honour of the action remained with us: though the nation was not much lifted up with the news of a drawn battle at sea with the French. We were long without a certain account of this action; but the modesty in which the king of France wrote of it to the archbishop of Paris put us out of all fears; for whereas their style was very boasting of their successes, in this it was only said that the action was to his advantage: from that cold expression we concluded the victory was on our side.

When the full account was sent home from our fleet, the partiality on both sides appeared very signally. The Tories magnified this as a great victory, and in their addresses of congratulation to the queen, they joined this with that which the duke of Marlborough had gained at Hocksted. I understand nothing of sea matters, and therefore cannot make a judgment in the point. I have heard men, skilled in those affairs, differ much in their sentiments of Rook's conduct in that action: some not only justifying but extolling it, as much as others condemned it. It was certainly ridiculous to set forth the glory of so disputable an engagement in the same words with the successes we had by land. The fleet soon after sailed home for England, Leak\* being left with a squadron at Lisbon.

The Spaniards drew all the forces they had in Andalusia and Estremadura together, to retake Gibraltar: that army was commanded by the duke of Villadarias; he had with him some French troops, with some engineers of that nation, who were chiefly relied on, and were sent from France to carry on the siege. This gave some disgust to the Spaniards, who were so foolish in their pride, that though they could do nothing for themselves, and indeed knew not how to set about it, yet could not bear to be taught by others, or to see themselves outdone by them. The siege was continued for above four months, during which time the prince of Hesse had many occasions given him to distinguish himself very eminently, both as to his courage, conduct, and indefatigable application. Convoys came frequently from Lisbon with supplies of men and provisions, which the French were not able to hinder, or to intercept. Pointy at last came, with a squadron of twenty French ships, and lay long in the bay, trying what could be done by sea, while the place was pressed by land: upon that a much stronger squadron was sent from Lisbon, with a great body of men and stores of all sorts, to relieve the place and to raise the siege: and the court of France, not being satisfied with the conduct of the Spanish general, sent mareschal Tessé to carry on the siege with greater expedition. The Portuguese all this while made no use of the diversion given by the siege of Gibraltar: they made great demands on us; for England was now considered as a source that could never be exhausted. We granted all their demands, and a body of horse was sent to them at a vast charge. The king was in a very ill state of health, occasioned by disorders in his youth; he had not been treated skilfully, so he was often relapsing, and

\* The life of this brave seaman, sir John Leake, was printed for private circulation by Mr. Stephen Martin Leake, garter king at arms.—Noble's Contin. of Grainger.



was not in a condition to apply himself much to business. For some time our queen dowager\* was set at the head of their councils : her administration was much commended, and she was very careful of the English and all their concerns.

In Italy the duke of Savoy had a melancholy campaign, losing place after place ; but he supported his affairs with great conduct, and showed a firmness in his misfortunes beyond what could have been imagined. Verceil and Yvrea gave the duke of Vendome the trouble of a tedious siege ; they stood their ground as long as possible : the duke of Savoy's army was not strong enough to raise these sieges, so both places fell in conclusion. The French had not troops both to carry on the war and to leave garrisons in those places, so they demolished the fortifications : after they had succeeded so far, they sat down before Verue in the end of October. The duke of Savoy posted his army at Crescentino, over against it, on the other side of the Po : he had a bridge of communication : he went often into the place during the siege, to see and animate his men, and to give all necessary orders : the sick and wounded were carried away, and fresh men put in their stead. This siege proved the most famous of all that had been during the late wars ; it lasted above five months, the garrison being often changed, and always well supplied. The French army suffered much by continuing the siege all the winter, and they were at a vast charge in carrying it on ; the bridge of communication was, after many unsuccessful attempts, at last cut off : and the duke of Savoy, being thus separated from the place, retired to Chivaz, and left them to defend themselves as long as they could, which they did beyond what could in reason have been expected. The duke of Savoy complained much of the emperor's failing to make good his promises ; but, in a discourse upon that subject with the queen's envoy, he said, though he was abandoned by his allies, he would not abandon himself.

The poor people in the Cevennes suffered much this summer. It was not possible to come to them with supplies till matters should go better in Piedmont, of which there was then no prospect ; they were advised to preserve themselves the best they could. Marshal Villars was sent into the country to manage them with a gentler hand. The severe methods taken by those formerly employed being now disowned, he was ordered to treat with their leaders, and to offer them full liberty to serve God in their own way without disturbance. They generally inclined to hearken to this, for they had now kept themselves in a body much longer than was thought possible in their low and helpless state : some of them capitulated, and took service in the French army ; but as soon as they came near the armies of the allies they deserted and went over to them, so that by all this practice that fire was rather covered up at present than quite extinguished.

The disorders in Hungary had a deeper root and a greater strength : it was hoped that the ruin of the elector of Bavaria would have quite disheartened them, and have disposed them to accept of reasonable terms, if the emperor could have been prevailed on to offer them frankly, and immediately upon their first consternation after the conquest of Bavaria. There were great errors in the government of that kingdom : by a long course of oppression and injustice the Hungarians were grown savage and intractable : they saw they were both hated and despised by the Germans. The court of Vienna seemed to consider them as so many enemies, who were to be depressed, in order to their being extirpated ; upon any pretence of plots, their persons were seized on and their estates confiscated. The jesuits were believed to have a great share in all those contrivances and prosecutions ; and it was said, that they purchased the confiscated estates upon very easy terms. The nobility of Hungary seemed irreconcilable to the court of Vienna. On the other hand, those of that court who had these confiscations assigned them, and knew that the restoring these would certainly be insisted on as a necessary article in any treaty that might follow, did all they could to obstruct such a treaty. It was visible that Ragotski, who was at their head, aimed at the principality of Transylvania : and it was natural for the Hungarians to look on his arriving at that dignity, by which he could protect and assist them, as the best security they could have. On the other hand, the court of Vienna, being possessed of that principality, would not easily part with it. In the midst of all this fermentation, a revolution happened in the Turkish empire : a new sultan was set up. So all things were at a stand till it might be

\* Widow of Charles the Second.

known what was to be expected from him. They were soon delivered from this anxiety, for he sent a chiaus to the court of Vienna, to assure them that he was resolved to maintain the peace in all points, and that he would give no assistance to the malcontents. The court of Vienna being freed from those apprehensions, resolved to carry on the war in Hungary as vigorously as they could. This was imputed to a secret practice from France on some of that court, and there were so many there concerned in the confiscations, that every proposition that way was powerfully supported. Thus Italy was neglected, and the siege of Landau was ill supported, their chief strength being employed in Hungary. Yet when the ministers of the allies pressed the opening a treaty with the malcontents, the emperor seemed willing to refer the arbitration of that matter to his allies. But though it was fit to speak in that style, yet no such thing was designed. A treaty was opened, but when it was known that Zeiher had the chief management of it, there was no reason to expect any good effect of it. He was born a protestant, a subject of the palatinate, and was often employed by the elector Charles Lewis, to negotiate affairs at the court of Vienna: he, seeing a prospect of rising in that court, changed his religion, and became a creature of the jesuits, and adhered steadily to all their interests. He managed that secret practice with the French in the treaty of Ryswick, by which the protestants of the palatinate suffered so considerable a prejudice. The treaty in Hungary stuck at the preliminaries, for indeed neither side was then inclined to treat: the malcontents were supported from France; they were routed in several engagements, but these were not so considerable as the court of Vienna gave out in their public news. The malcontents suffered much in them, but came soon together again, and they subsisted so well, what by the mines of which they had possessed themselves, what by the incursions they made, and the contributions they raised from the emperor's subjects, that unless the war were carried on more vigorously, or a peace were offered more sincerely, that kingdom was long likely to be a scene of blood and rapine.

So was its neighbouring kingdom of Poland. It was hoped that the talk of a new election was only a loud threatening to force a peace the sooner; but it proved otherwise. A diet was brought together of those who were irreconcilable to king Augustus, and after many delays Stanislaus, one of the palatines, was chosen and proclaimed their king; and he was presently owned by the king of Sweden. The cardinal seemed at first unwilling to agree to this, but he suffered himself to be forced to it: this was believed to be only an artifice of his to excuse himself to the court of France, whose pensioner he was, and to whom he had engaged to carry the election for the prince of Conti. The war went on this year with various success on both sides. King Augustus made a quick march to Warsaw, where he surprised some of Stanislaus's party, he himself escaping narrowly; but the king of Sweden followed so close that, not being able to fight him, he was forced to retreat into Saxony, where he continued for some months. There he ruined his own dominions, by the great preparations he made to return with a mighty force: the delay of that made many forsake his party, for it was given out that he would return no more, and that he was weary of the war, and he had good reason so to be. Poland, in the meanwhile, was in a most miserable condition: the king of Sweden subsisted his army in it, and his temper grew daily more fierce and gothic: he was resolved to make no peace till Augustus was driven out. In the meanwhile his own country suffered much. Livonia was destroyed by the Muscovites: they had taken Narva, and made some progresses into Sweden. The pope espoused the interests of king Augustus; for, to support a new convert of such importance, was thought a point worthy the zeal of that see: so he cited the cardinal to appear at Rome, and to give an account of the share he had in all that war.

The pope was now wholly in the French interest, and maintained the character they pretend to, of a common father, with so much partiality, that the emperor himself, how tame and submissive soever to all the impositions of that see, yet could not bear it, but made loud complaints of it. The pope had threatened that he would thunder out excommunications against all those troops that should continue in his dominions. The emperor was so implicit in his faith, and so ready in his obedience, that he ordered his troops to retire out of the ecclesiastical state; but all the effect that this had was to leave that state entirely in the hands of the French, against whom the pope did not think fit to fulminate; yet the pope

still pretended that he would maintain a neutrality, and both the Venetians and the great duke adhered to him in that resolution, and continued neutral during the war.

Having now given a view of the state of affairs abroad, I return back to prosecute the relation of those at home, and begin with Scotland. A session of parliament was held there this summer. The duke of Queensbury's management of the plot was so liable to exception, that it was not thought fit to employ him; and it seems he had likewise brought himself under the queen's displeasure, for it was proposed by some of his friends in the house of lords, to desire the queen to communicate to them a letter, which he had written to her of such a date. This looked like an examination of the queen herself, to whom it ought to have been left to send what letters she thought fit to the house, and they ought not to call for any one in particular. The matter of that letter made him liable to a very severe censure in Scotland; for in plain words he charged the majority of the parliament as determined in their proceedings by an influence from St. Germain's. This exposed him in Scotland to the fury of a parliament; for, how true soever this might be, by the laws of that kingdom, such a representation of a parliament to the queen, especially in matters which could not be proved, was leasing-making, and was capital.

The chief design of the court in this session was to get the succession of the crown to be declared, and a supply to be given for the army, which was run into a great arrear. In the debates of the former session those who opposed every thing, more particularly the declaring the succession, had insisted chiefly on motions to bring their own constitution to such a settlement, that they might suffer no prejudice by their king's living in England. Mr. Johnstoun was now taken in by the ministers into a new management. It was proposed by him, in concert with the marquess of Tweeddale and some others in Scotland, that the queen should empower her commissioner to consent to a revival of the whole settlement made by king Charles the First in the year 1641.

By that the king named a privy council and his ministers of state in parliament, who had a power to accept of, or to except to, the nomination, without being bound to give the reason for excepting to it. In the intervals of parliament, the king was to give all employments with the consent of the privy council. This was the main point of that settlement, which was looked on by the wisest men of that time as a full security to all their laws and liberties. It did indeed divest the crown of a great part of the prerogative; and it brought the parliament into some equality with the crown.

The queen, upon the representation made to her by her ministers, offered this as a limitation on the successor, in case they would settle the succession, as England had done; and, for doing this, the marquess of Tweeddale was named her commissioner. The queen did also signify her pleasure very positively to all who were employed by her, that she expected they should concur in settling the succession, as they desired the continuance of her favour. Both the duke of Marlborough and the lord Godolphin expressed themselves very fully and positively to the same purpose; yet it was dexterously surmised, and industriously set about by the jacobites, and too easily believed by jealous and cautious people, that the court was not sincere in this matter, and that at best they were indifferent as to the success. Some went further, and said that those who were in a particular confidence at court did secretly oppose it, and entered into a management on design to obstruct it. I could never see any good ground for this suggestion; yet there was matter enough for jealousy to work on, and this was carefully improved by the jacobites, in order to defeat the design. Mr. Johnstoun was made lord register, and was sent down to promote the design. The jacobites were put in hopes, in case of a rupture, to have a considerable force sent to support them from Dunkirk.

A session of parliament being opened, and the speeches made, and the queen's letter read, all which tended to the settling the succession, that was the first debate. A great party was now wrought on, when they understood the security that was to be offered to them: for the wisest patriots in that kingdom had always magnified that constitution, as the best contrived scheme that could be desired: so they went in with great zeal to the accepting of it. But those who in the former session had rejected all the motions of treating with England with some scorn, and had made this their constant topic, that they must in the first



place secure their own constitution at home, and then they might trust the rest to time and to such accidents as time might bring forth ; now, when they saw that every thing that could be desired was offered with relation to their own government, they (being resolved to oppose any declaration of the succession, what terms soever might be granted to obtain it,) turned the argument wholly another way, to show the necessity of a previous treaty with England. They were upon that told that the queen was ready to grant them every thing that was reasonable, with relation to their own constitution, yet without the concurrence of the parliament of England she could grant nothing in which England was concerned ; for they were for demanding a share of the plantation trade, and that their ships might be comprehended within the act of navigation.

After a long debate the main question was put, whether they should then enter upon the consideration of the limitations of the government, in order to the fixing the succession of the crown, or if that should be postponed till they had obtained such a security, by a treaty with England, as they should judge necessary. It was carried, by a majority of forty, to begin with a treaty with England : of these, about thirty were in immediate dependence on the court, and were determined according to the directions given them. So, notwithstanding a long and idle speech of the earl of Cromarty's, which was printed, running into a distinction among divines, between the revealed and secret will of God, showing that no such distinction could be applied to the queen ; she had but one will, and that was revealed ; yet it was still suspected that at least her ministers had a secret will in the case. They went no further in this vote for a treaty with England, for they could not agree among themselves who should be the commissioners ; and those who opposed the declaring the succession, were concerned for no more when that question was once set aside. So it was postponed, as a matter about which they took no further care.

They offered to the court six months' cess, for the pay of the army ; but they tacked to this a great part of a bill which passed the former session of parliament, but was refused by the throne. By that it was provided, that if the queen should die without issue, a parliament should presently meet, and they were to declare the successor to the crown, who should not be the same person that was possessed of the crown of England, unless before that time there should be a settlement made in parliament, of the rights and liberties of the nation independent on English councils. By another clause in the act, it was made lawful to arm the subjects, and to train them, and put them in a posture of defence. This was chiefly pressed in behalf of the best affected in the kingdom, who were not armed ; for the Highlanders, who were the worst affected, were well armed : so, to balance that, it was moved that leave should be given to arm the rest. All was carried with great heat and much vehemence ; for a national humour, of being independent on England, fermented so strongly among all sorts of people without doors, that those who went not into every hot motion that was made, were looked on as the betrayers of their country ; and they were so exposed to a popular fury, that some of those who studied to stop this tide were thought to be in danger of their lives. The presbyterians were so overawed with this, that, though they wished well to the settling the succession, they durst not openly declare it. The dukes of Hamilton and Athol led all those violent motions, and the whole nation was strangely inflamed.

The ministers were put to a great difficulty with the supply bill, and the tack that was joined to it. If it was denied the army could be no longer kept up : they had run so far in arrear, that, considering the poverty of the country, that could not be carried on much longer. Some suggested that it should be proposed to the English ministry, to advance the subsistence money, till better measures could be taken ; but none of the Scotch ministry would consent to that. An army is reckoned to belong to those who pay it : so an army paid from England would be called an English army : nor was it possible to manage such a thing secretly. It was well known that there was no money in the Scotch treasury to pay them, so if money were once brought into the treasury, how secretly soever, all men must conclude that it came from England : and men's minds were then so full of the conceit of independency, that if a suspicion arose of any such practice, probably it would have occasioned tumults. Even the army was so kindled with this, that it was believed that neither

officers nor soldiers would have taken their pay, if they had believed it came from England. It came then to this, that either the army must be disbanded, or the bill must pass. It is true, the army was a very small one, not above three thousand; but it was so ordered, that it was double or treble officered; so that it could have been easily increased to a much greater number, if there had been occasion for it. The officers had served long, and were men of a good character. So, since they were alarmed with an invasion, which both sides looked for, and the intelligence which the court had from France assured them it was intended; they thought the inconveniences arising from the tack might be remedied afterwards. But the breaking of the army was such a pernicious thing, and might end so fatally, that it was not to be ventured on. Therefore, by common consent, a letter was written to the queen, which was signed by all the ministers there, in which they laid the whole matter before her, every thing was stated and balanced; all concluded in an humble advice to pass the bill. This was very heavy on the lord Godolphin, on whose advice the queen chiefly relied. He saw the ill consequences of breaking the army and laying that kingdom open to an invasion, would fall on him if he should, in contradiction to the advice given by the ministry of Scotland, have advised the queen to reject the bill. This was under consultation in the end of July, when our matters abroad were yet in a great uncertainty; for though the victory at Schellemburg was a good step, yet the great decision was not then come. So he thought, considering the state of affairs, and the accidents that might happen, that it was the safest thing for the queen to comply with the advices of those to whom she trusted the affairs of that kingdom.

The queen sent orders to pass the bill. It passed on the 6th of August, after the great battle was over, but several days before the news of it came to us. When the act passed, copies of it were sent to England, where it was soon printed by those who were uneasy at the lord Godolphin's holding the white staff, and resolved to make use of this against him, for the whole blame of passing it was cast on him. It was not possible to prove that he had advised the queen to it: so some took it by another handle, and resolved to urge it against him, that he had not persuaded the queen to reject it: though that seemed a great stretch, for he being a stranger to that kingdom, it might have been liable to more objection, if he had presumed to advise the queen to refuse a bill, passed in the parliament of Scotland, which all the ministry there advised her to pass.

Severe censures passed on this. It was said, that the two kingdoms were now divided by law, and that the Scotch were putting themselves in a posture to defend it; and all saw by whose advices this was done. One thing, that contributed to keep up an ill humour in the parliament of Scotland, was more justly imputed to him. The queen had promised to send down to them all the examinations relating to the plot: if these had been sent down, probably in the first heat the matter might have been carried far against the duke of Queensbury. But he, who staid all the while at London, got it to be represented to the queen, that the sending down these examinations, with the persons concerned in them, would run the session into so much heat, and into such a length, that it would divert them quite from considering the succession, and it might produce a tragical scene. Upon these suggestions, the queen altered her resolution of sending them down; though repeated applications were made to her, both by the parliament and by her ministers, to have them sent; yet no answer was made to these, nor was so much as an excuse made for not sending them. The duke of Queensbury, having gained this point, got all his friends to join with the party that opposed the new ministry. This both defeated all their projects and softened the spirits of those who were so set against him, that, in their first fury, no stop could have been put to their proceedings. But now the party that had designed to ruin him was so much wrought on by the assistance that his friends gave them in this session, that they resolved to preserve him.

This was the state of that nation, which was aggravated very odiously all England over. It was confidently, though, as was afterwards known, very falsely, reported, that great quantities of arms were brought over and dispersed through the whole kingdom: and it being well known how poor the nation was at that time, it was said, that those arms were paid for by other hands, in imitation of what it was believed cardinal Richelieu did in the

year 1638. Another thing was given out very maliciously by the lord treasurers' enemies, that he had given directions under hand to hinder the declaring the succession, and that the secret of this was trusted to Johnstoun, who, they said, talked openly one way, and acted secretly another; though I could never see a colour of truth in those reports. Great use was to be made of the affairs of Scotland, because there was no ground of complaint of any thing in the administration at home. All the duke of Marlborough's enemies saw his chief strength lay in the credit that the lord Godolphin was in at home, while he was so successful abroad. So, it being impossible to attack him in such a course of glory, they laid their aims against the lord treasurer. The tories resolved to attack him, and that disposed the whigs to preserve him: and this was so managed by them, that it gave a great turn to all our councils at home.

In the beginning of November, the session of parliament was opened. It might well be expected that, after such a summer, the addresses of both houses would run in a very high strain. The house of commons, in their address, put the successes by sea and land on a level, and magnified both in the same expressions; but the house of lords, in their address, took no notice of Rook, nor of the sea. The lower house of convocation were resolved to follow the example of the house of commons, and would have the sea and land both mentioned in the same terms; but the bishops would not vary from the pattern set them by the house of lords: so no address was made by the convocation. The commons agreed to every thing that the court proposed for supporting the war another year: this was carried through with great dispatch and unanimity. So that the main business of the session was soon over: all the money bills were prepared and carried on in the regular method without any obstruction. Those who intended to embroil matters saw it was not advisable to act above board, but to proceed more covertly.

The act against occasional conformity was again brought in, but moderated in several clauses; for those who pressed it were now resolved to bring the terms as low as was possible, in order once to carry a bill upon that head. The opposition in the house of commons made to it was become so considerable (for the design was now more clearly discerned), that it was carried in that house only by a majority of fifty. When the bill was to be committed, it was moved that it should be committed to the same committee which was preparing the bill for the land-tax. The design of this was, that the one should be tacked to the other, and then the lords would have been put under a great difficulty. If they should untack the bill, and separate one from the other, then the house of commons would have insisted on a maxim that was now settled among them, as a fundamental principle never to be departed from, that the lords cannot alter a money bill, but must either pass it or reject it, as it is sent to them. On the other hand, the lords could not agree to any such tack, without departing from that solemn resolution which was in their books, signed by most of them, never to admit of a tack to a money bill. If they yielded now, they taught the house of commons the way to impose any thing on them at their pleasure.

The party in the house of commons put their whole strength to the carrying this point: they went further in their design. That which was truly aimed at, by those in the secret, was to break the war and to force a peace. They knew a bill with this tack could not pass in the house of peers. Some lords of their party told myself that they would never pass the bill with this tack, so by this means money would be stopped. This would put all matters in great confusion both at home and abroad, and dispose our allies, as despairing of any help from us, to accept of such terms as France would offer them. So here was an artful design formed to break, at least to shake, the whole alliance. The court was very apprehensive of this, and the lord Godolphin opposed it with much zeal. The party disowned the design for some time, until they had brought up their whole strength, and thought they were sure of a majority.

The debate held long. Those who opposed it said, this now aimed at was a change of the whole constitution, and was in effect turning it into a commonwealth; for it imported the denying, not only to the lords, but to the crown, the free use of their negative in the legislature. If this was once settled, then, as often as the public occasions made a money bill necessary, every thing that the majority in their house had a mind to would be tacked



to it. It is true some tacks had been made to money bills in king Charles's time ; but even these had still some relation to the money that was given. But here a bill, whose operation was only for one year, and which determined as soon as the four shillings in the pound was paid, was to have a perpetual law tacked to it, that must continue still in force after the greatest part of the act was expired and dead. To all this, in answer, some precedents were opposed, and the necessity of the bill for the preservation of the church was urged, which they saw was not likely to pass, unless sent to the lords so accompanied ; which some thought was very wittingly pressed, by calling it a portion annexed to the church, as in a marriage ; and they said they did not doubt but those of the court would bestir themselves to get it passed, when it was accompanied with two millions as its price.

Upon the division, one hundred and thirty-four were for the tack, and two hundred and fifty were against it : so that design was lost by those who had built all their hopes upon it, and were now highly offended with some of their own party, who had by their opposition wrought themselves into good places, and forsook that interest to which they owed their advancement : these, to redeem themselves with their old friends, seemed still zealous for the bill, which after went on coldly and slowly in the house of commons, for they lost all hopes of carrying it in the house of lords, now that the mine they had laid was sprung.

While this was going on in the house of commons, the debate about the Scotch act was taken up with great heat in the house of lords. The ill effects that were likely to follow upon it were opened in very tragical strains : it was, after much declaiming, moved that the lords might pass some votes upon it. The tories who pressed this, intended to add a severe vote against all those who had advised it ; and it was visible at whom this was aimed. The whigs diverted this : they said, the putting a vote against an act passed in Scotland looked like the claiming some superiority over them, which seemed very improper at that time, since that kingdom was possessed with a national jealousy on this head, that would be much increased by such a proceeding. More moderate methods were therefore proposed and agreed to, in order to the making up of a breach in this island, with which they seemed to be then threatened. So an act was brought in, empowering the queen to name commissioners, to treat of a full union of both kingdoms, as soon as the parliament of Scotland should pass an act to the same purpose. But if no such union should be agreed on, or if the same succession to the crown, with that of England, should not be enacted by a day prefixed, then it was enacted, that after that day no Scotchman, that was not resident in England or in Ireland, or employed in the queen's service by sea or land, should be esteemed a natural-born subject of England : they added to this a prohibition of the importation of Scotch cattle, and the manufactures of Scotland. All this fell in the house of commons, when sent down to them, because of the money-penalties, which were put in the several clauses of the bill. The commons were resolved to adhere to a notion, that had now taken such root among them that it could not be shaken, that the lords could not put any such clause in a bill begun with them. This was wholly new : penalties upon transgressions could not be construed to be a giving of money. The lords were clearly in possession of proceeding thus ; so that the calling it in question was an attempt on the share which the lords had in the legislature. The commons let this bill lie on the table, and began a new one to the same purpose : it passed ; and the following Christmas was the day prefixed for the Scotch to enact the succession, or, on failure thereof, then this act was to have its effect. A great coldness appeared in many of the commons, who used to be hot on less important occasions : they seemed not to desire that the Scotch should settle the succession ; and it was visible that some of them hoped that the lords would have used their bill as they had used that sent down by the lords. Many of them were less concerned in the fate of the bill, because it diverted the censure which they had intended to fix on the lord treasurer. The lords were aware of this, and passed the bill.

Those who wished well to the union were afraid that the prohibition, and the declaring the Scots aliens after the day prefixed, would be looked on as threatenings. And they saw cause to apprehend that ill-tempered men in that kingdom would use this as a handle to divert that nation, which was already much soured, from hearkening to any motion that might tend to promote the union or the declaring the succession. It was given out by these,

that this was an indignity done their kingdom, and that they ought not so much as to treat with a nation that threatened them in such a manner. The marquis of Tweeddale excused himself from serving longer: so the duke of Argyle, whose father was lately dead, was named to be sent down commissioner, to hold a parliament in Scotland. He was then very young, and was very brave.

This being dispatched easier than was expected, the parliament went on to other business. Complaints of an ill management, both at the board of the prince's council and at sea, rose very high. This house of commons, during the whole continuance of the parliament, never appointed a committee to look into those matters which had been formerly a main part of their care. They saw things were ill conducted, but the chief managers of sea affairs were men of their party, and that atoned for all faults, and made them unwilling to find them out, or to censure them. The truth was, the prince was prevailed on to continue still in the admiralty, by those who sheltered themselves under his name: though this brought a great load on the government. The lords went on as they had done the former session, examining into all complaints. They named two committees, the one to examine the books of the admiralty, the other to consider the proceedings at sea. No progress was made in the first of these; for though there was a great deal suggested in private, yet, since this seemed to be complaining of the prince, none would appear directly against him; but the other afforded matter enough both for enquiry and censure: the most important, and that which had the worst consequences, was, that though there were twenty-two ships appointed for cruising, yet they had followed that service so remissly, and the orders sent them were so languid and so little urgent, that three diligent cruising ships could have performed all the services done by that numerous fleet. This was made out in a scheme, in which all the days of their being out at sea were reckoned up, which did not exceed what three cruisers might have performed. It did not appear whether this was only the effect of sloth or ignorance, or if there lay any designed treachery at bottom. It seemed very plain that there was treachery somewhere, at least among the under-officers; for, a French privateer being taken, they found among his papers instructions sent him by his owners, in which he was directed to lie in some stations, and to avoid others: and it happened that this agreed so exactly with the orders sent from the admiralty, that it seemed that could not be by chance, but that the directions were sent upon sight of the orders. The queen began this winter to come to the house of lords upon great occasions to hear their debates, which, as it was of good use for her better information, so it was very serviceable in bringing the house into better order. The first time she came was when the debate was taken up concerning the Scotch act. She knew the lord treasurer was aimed at by it, and she diverted the storm by her endeavours, as well as she restrained it by her presence.

She came likewise thither to hear the debates upon the bill against occasional conformity, which was sent up by the commons; if it had not been for the queen's being present, there would have been no long debate on that head, for it was scarcely possible to say much that had not been formerly said: but to give the queen full information, since it was supposed that she had heard that matter only on one side, it was resolved to open the whole matter in her hearing: the topics most insisted on were, the quiet that we enjoyed by the toleration, on which head the severities of former reigns were laid open, both in their injustice, cruelty, and their being managed only to advance popery, and other bad designs; the peaceable behaviour of the dissenters, and the zeal they expressed for the queen, and her government, was also copiously set forth; while others showed a malignity to it. That which was chiefly urged was, that every new law made in the matter, altered the state of things from what it was when the act for toleration first passed; this gave the dissenters an alarm, they might from thence justly conclude, that one step would be made after another, until the whole effect of that act should be overturned. It did not appear from the behaviour of any among them, that they were not contented with the toleration they enjoyed, or that they were carrying on designs against the church; in that case it might be reasonable to look for a farther security, but nothing tending that way was so much as pretended; all went on jealousies and fears, the common topics of sedition. On the other hand, to support the bill, old stories were brought up to show how restless and unquiet that sort of men had been in

former times. When it came to the question, whether the bill should be read a second time, or not, it went for the negative by a majority of twenty lords.

Another debate, that brought the queen to the house, was concerning Watson, late lord bishop of St. David's: his business had been kept long on foot in the courts below by all the methods of delay that lawyers could invent; after five years' pleading, the concluding judgment was given in the exchequer, that he had no right to the temporalities of that bishopric; and that being affirmed in the exchequer-chamber, it was now by a writ of error, brought before the lords, in the last resort; but as the house seemed now to be set, he had no mind to let it go to a final decision; so he delayed the assigning the errors of the judgment until the days were lapsed in which, according to a standing order, errors ought to be assigned upon a writ of error; in default of which the record was to be sent back. He suffered the time to lapse, though particular notice was ordered to be given him, on the last day in which, according to the standing order, he might have assigned his errors; and the house sat that day some hours on purpose waiting for it. Some weeks after that, when the session was so near an end that he thought his cause could not be heard during the session, and so must in course have been put off to another session, he petitioned for leave to assign his errors; this was one of the most solemn orders that related to the judicature of the lords, and had been the most constantly stood to: it was not therefore thought reasonable to break through it, in favour of so bad a man, of whom they were all ashamed, if parties could have any shame; he had affected, in every step he had made, to seek out all possible delays for keeping the see still void, which by reason of a bad bishop and a long vacancy, was fallen into great disorder; yet after all this, he had still by law the benefit of a writ of error, which he might bring in any subsequent session of parliament.

Upon this the queen resolved to fill that see; and she promoted to it the celebrated Dr. Bull, who had written the most learned treatise that this age had produced, of the doctrine of the primitive church concerning the Trinity; this had been so well received all Europe over, that in an assembly general of the clergy of France, the bishop of Meaux was desired to write over to a correspondent he had in London, that they had such a sense of the service he had done their common faith, that upon it they sent him their particular thanks; I read the letter, and so I can deliver it for a certain truth, how uncommon soever it may seem to be\*. The queen had a little before this promoted Dr. Beveridge to the see of St. Asaph, who had showed himself very learned in ecclesiastical knowledge. They were both pious and devout men, but were now declining; both of them being old, and not likely to hold out long†. Soon after this the see of Lincoln became vacant by that bishop's death: Dr. Wake was after some time promoted to it: a man eminently learned, an excellent writer, a good preacher, and, which is above all, a man of an exemplary life‡.

\* In the church of Brecknock is this inscription: "Here lieth the right reverend father in God, Dr. George Bull, late bishop of this diocese; who was excellently learned, pious, and charitable; and who departed this life February the 17th, 1705, aged seventy-five." Dr. Bull, born at Wells, in Somersetshire, losing his parents whilst a child, devolved to the care of a sister much his senior. Submitting to the drudgery of instructing infancy, and nobly resolving to fulfil the duty devolved upon her, she fully supplied the place of a mother to the orphan boy. Her guardianship did not cease with infancy, for when at Exeter college, Oxford, and afterwards, he was guilty of several indiscretions, she lured him back to virtue and learning, gardens of pure delight, whose produce is thornless. From these he never strayed again. That Dr. Bull was a good man, we have the testimony that the excellent Mr. Nelson was his friend and biographer. Of his ecclesiastical learning, we have the testimony of the foreign divines, mentioned in the text. The work there alluded to was his "Doctrine of the Primitive Church concerning the Trinity." "Few have exceeded Dr. Bull in the performance of the duties of his profession, from the plain parish priest to the prelate." In his place as a peer of parliament he conducted himself with becoming calmness

and firmness. He was always ready to maintain the character of our church; supported the union with Scotland, and every liberal measure that was proposed. He had one maxim to guide him as a statesman, worthy of his integrity—"I am apt to think," he said, "that *justice* is a better rule than *convenience*."—Nelson's Life of Dr. Bull, prefixed to his works; Wood's Athenæ Oxon.; Biog. Britannica; Noble's Contin. of Grainger.

† Dr. William Beveridge, who has been styled "the great reviver and restorer of primitive piety," was born at Barrow, in Leicestershire, in 1638. His learning was made publicly known at an early period of his life, and continued, as well as his Christian practice, to characterize him throughout his career. He died bishop of St. Asaph, in 1708, and one of his episcopal brethren remarked as Beveridge's eyes were closing—"There goes one of the greatest, and one of the best men that ever England bred."—Biog. Britannica; Noble's Contin. of Grainger.

‡ Dr. William Wake was descended from one of the most ancient families of our gentry; a family distinguished for its courage and loyalty. His father, with boyish heroism, suffered the punishment that ought to have been inflicted upon his friend Nicholls, and this in after-life was more than repaid. Nicholls had risen to a judgeship, in the



A design was formed in this session of parliament, but there was not strength enough to carry it on at this time, the earl of Rochester gave a hint of it in the house of lords, by saying that he had a motion of great consequence to the security of the nation, which he would not make at this time, but would do it when next they should meet together. He said no more to the house, but in private discourse he owned it was for bringing over the electress of Hanover to live in England; upon this I will digress a little, to open the design and the views, which he, and some others, might have in this motion.

It seemed not natural to believe that a party, which had been all along backward at best, and cold in every step that was made in settling the succession in that family, should become all on the sudden such converts as to be zealous for it; so it was not an unreasonable jealousy to suspect that somewhat lay hid under it: it was thought that they either knew, or did apprehend, that this would not be acceptable to the queen; and they, being highly displeased with the measures she took, went into this design both to vex her, and in hopes that a faction might arise out of it, which might breed a distraction in our councils, and some of them might hope thereby to revive the prince of Wales's pretensions. They reckoned such a motion would be popular; and if either the court or the whigs, on whom the court was now beginning to look more favourably, should oppose it, this would cast a load on them as men, who after all the zeal they had expressed for that succession, did now, upon the hopes of favour at court, throw it up; and those who had been hitherto considered as the enemies of that house, might hope by this motion to overcome all the prejudices that the nation had taken up against them; and they might create a merit to themselves in the minds of that family, by this early zeal, which they resolved now to express for it.

This was set on foot among all the party; but the more sincere among them could not be prevailed on to act so false a part, though they were told this was the likeliest way to advance the pretended prince of Wales's interests.

I now come to give an account of the last business of this session, with which the parliament ended: it was formerly told what proceedings had been at law upon the election at Aylesbury; the judgment that the lords gave in that matter was executed, and upon that five others of the inhabitants brought their actions against the constables upon the same grounds. The house of commons looked on this as a great contempt of their votes, and they voted this a breach of privilege, to which they added a new, and until then unheard-of crime, that it was contrary to the declaration that they had made; upon that they sent their messenger for these five men, and committed them to Newgate, where they lay three months prisoners: they were all the while well supplied, and much visited; so they lay without making any application to the house of commons: it was not thought advisable to move in such a matter until all the money-bills were passed; then motions were made in the interval between the terms, upon the statute for a habeas corpus; but the statute relating only to commitments by the royal authority, this did not lie within it.

When the term came, a motion was made in the queen's bench upon the common-law, in behalf of the prisoners for a habeas corpus; the lawyers who moved it produced the commitment, in which their offence was set forth, that they had claimed the benefit of the law in opposition to a vote of the house of commons to the contrary; they said the subjects were governed by the laws, which they might, and were bound to know, and not by the votes of a house of parliament, which they were neither bound to know, nor to obey; three of the judges were of opinion, that the court could take no cognizance of that matter; the chief justice was of another mind; he thought a general warrant of commitment for breach of privilege was of the nature of an execution; and since the ground of the commitment was specified in the warrant, he thought it plainly appeared that the prisoners had been guilty

time of the protectorate, and Mr. Wake was tried before him and condemned for disaffection to the existing government, but the judge did not rest until he obtained the prisoner's pardon from Cromwell. This is told in the 383rd number of the Spectator; but the names, there omitted, are mentioned by Dr. Grey, in his edition of Hudibras. Dr. Wake was a native of Blandford, and born in 1657. He was a talented controversialist, and made

many effective passes of the pen at Bossuet, Atterbury, and others. One of his most admirable, though misrepresented efforts, was the union of the Gallican and English churches. He died in 1737, archbishop of Canterbury, to which metropolitanical see he had been advanced in 1715.—*Biog. Britannica*; Noble's Contin. of Grainger.

of no legal offence, and that therefore they ought to be discharged ; he was but one against three, so the prisoners were remanded.

Upon that they moved for a writ of error, to bring the matter before the lords ; that was only to be come at by petitioning the queen to order it : the commons were alarmed at this, and made an address to the queen, setting forth, that they had passed all the money-bills, therefore they hoped her majesty would not grant this. Ten judges agreed, that in civil matters a petition for a writ of error was a petition of right, and not of grace ; two of them only were of another mind ; it was therefore thought a very strange thing which might have most pernicious consequences, for a house of commons to desire the queen not to grant a petition of right, which was plainly a breach of law and of her coronation oath ; they also took on them to affirm, that the writ did not lie ; though that was clearly the work of the judicature to declare, whether it lay or not, and that was unquestionably the right of the lords ; they only could determine that ; the supplying the public occasions was a strange consideration to be offered the queen, as an argument to persuade her to act against law ; as if they had pretended that they had bribed her to infringe the law, and to deny justice ; money given for public service was given to the country, and to themselves, as properly as to the queen.

The queen answered their address, and in it said, that the stopping proceedings at law, was a matter of such consequence, that she must consider well of it ; this was thought so cold, that they returned her no thanks for it ; though a well-composed house of commons would certainly have thanked her for that tender regard to law and justice. The house of commons carried their anger farther ; they ordered the prisoners to be taken out of Newgate, and to be kept by their serjeant ; they also ordered the lawyers and the solicitors to be taken into custody, for appearing in behalf of the prisoners ; these were such strange and unheard-of proceedings, that by them the minds of all people were much alienated from the house of commons. But the prisoners were under such management, and so well supported, that they would not submit nor ask pardon of the house ; it was generally believed, that they were supplied and managed by the lord Wharton ; they petitioned the house of lords for relief ; and the lords resolved to proceed in the matter by sure and regular steps ; they first came to some general resolutions, that neither house of parliament could assume or create any new privilege that they had not been formerly possessed of ; that subjects claiming their rights in a course of law, against those who had no privilege, could not be a breach of privilege of either house ; that the imprisoning the men of Aylesbury for acting contrary to a declaration made by the house of commons, was against law ; that the committing their friends and their counsel for assisting them, in order to the procuring their liberty in a legal way, was contrary to law ; and that the writ of error could not be denied without breaking the magna charta and the laws of England. These resolutions were communicated to the house of commons at a conference.

They made a long answer to them : in it they set forth, that the right of determining elections was lodged only with them, and that therefore they only could judge who had a right to elect ; they only were the judges of their own privileges, the lords could not intermeddle in it ; they quoted very copiously the proceedings in the year 1675, upon an appeal brought against a member of their house ; they said their prisoners ought only to apply themselves to them for their liberty ; and that no motion had ever been made for a writ of error in such a case. Upon this second conference according to form, the matter was brought to a free conference, where the point was fully argued on both sides ; the city and the body of the nation were on the lords' side in the matter. Upon this the lords drew up a full representation of the whole thing, and laid it before the queen, with an earnest prayer to her majesty, to give order for the writ of error ; this was thought so well drawn, that some preferred it to those of the former sessions ; it contained a long and clear deduction of the whole affair, with great decency of style, but with many heavy reflections on the house of commons.

By this time the whole business of the session was brought to a conclusion ; for the lords, who had the money-bills, would not pass them, until this was ended : they carried their representation to the queen, who in answer to it told them, that she would have granted the writ of error, but she saw it was necessary to put a present conclusion to the session. This

being reported to the house, was looked on by them as a clear decision in their favour; therefore they ordered their humble thanks to be immediately returned to her majesty for it: an hour after that the queen came to the house of lords, and passed all the bills, and ended the session with a speech full of thanks for the supplies so readily granted; she took notice with regret of the effects of the ill humour and animosity that had appeared; and spoke of the narrow escape we had made, which she hoped would teach all persons to avoid such dangerous experiments for the future; this was universally understood to be meant of the tack, as indeed it could be meant of nothing else.

Thus this session, and with it this parliament came to an end; it was no small blessing to the queen, and to the nation, that they got well out of such hands; they had discovered, on many occasions, and very manifestly, what lay at bottom with most of them; but they had not skill enough to know how to manage their advantages, and to make use of their numbers; the constant successes with which God had blessed the queen's reign, put it out of their power to compass that which was aimed at by them; the forcing a peace, and of consequence the delivering all up to France. Sir Christopher Musgrave, the wisest man of the party, died before the last session; and by their conduct after his death, it appeared, that they wanted his direction; he had been at the head of the opposition that was made in the last reign from the beginning to the end: but he gave up many points of great importance in the critical minute, for which I had good reason to believe, that he had twelve thousand pounds from the late king, at different times: at his death it appeared, that he was much richer than by any visible computation he could be valued at; which made some cast an imputation on his memory, as if he had received great sums even from France\*.

I shall conclude the relation of this parliament with an account of some things that were begun, but not perfected by them; there was a bill offered for the naturalization of some hundreds of Frenchmen, to which the commons added a clause, disabling the persons so naturalized from voting in elections of parliament; the true reason of this was, because it was observed that the French among us gave in all elections their votes for those who were most zealous against France; and yet, with an apparent disingenuity, some gave it as a reason for such a clause, that they must be supposed so partial to the interests of their own country, that it was not fit to give them any share in our government. The lords looked on this as a new attempt, and the clause added was a plain contradiction to the body of the bill, which gave them all the rights of natural-born subjects; and this took from them the chief of them all, the choosing their representatives in parliament; they would not agree to it, and the commons resolved not to depart from it; so without coming to a free conference, the bill fell with the session.

Another bill was begun by the lords against the papists: it was occasioned by several complaints brought from many parts of the kingdom, chiefly from Cheshire, of the practices and insolence of those of that religion: so a bill was ordered to be brought in, with clauses in it, that would have made the act, passed against them four years before, prove effectual, which for want of these has hitherto been of no effect at all; this passed in the house of lords, and was sent to the commons. They had no mind to pass it; but to avoid the ill effects of their refusing such a bill, they added a clause to it, containing severe penalties on papists who should once take the oaths, and come into the communion of our church, if they should be guilty of any occasional conformity with popery afterwards: they fancied that this of occasional conformity was so odious to the lords, that every clause that condemned it would be rejected by them; but when they came to understand that the lords were resolved to agree to the clause, they would not put it to that hazard; so the bill lay on their table, and slept until the prorogation.

A general self-denying bill was offered in the house of commons by those very men, who

\* Sir Christopher Musgrave, of Hartley, in Westmoreland, was, whilst a young man, very active in the cause of the Stuarts. For this he was imprisoned and otherwise suffered during the protectorate, having engaged in Sir George Booth's attempt to restore the ex-king. After the restoration he obtained the appointment of a captain of the guard, was knighted, made governor of

Carlisle, and lieutenant-general of the ordnance. In the first year of Anne, he had the office of one of the four tellers of the exchequer. "He always demonstrated himself a loyal subject, an able statesman, and singular patriot to his country." He died in June, 1704, and was buried in a chapel of the Minorites in London.—Collins's Baronetage.



in the first session of parliament, when they hoped for places themselves, had opposed the motion of such a bill with great indignation ; now the scene was a little altered, they saw they were not likely to be favourites, so they pretended to be patriots. This looked so strangely in them, that it was rejected ; but another bill of a more restrained nature passed, disabling some officers, particularly those that were concerned in the prize-office, from serving in parliament ; to this a general clause was added, that disabled all who held any office that had been created since the year 1684, or any office that should be created for the future, from sitting in parliament ; this passed among them, and was sent to the lords ; who did not think fit to agree to so general a clause, but consented to a particular disability, put on some offices by name : the commons did not agree to this alteration, they would have all, or nothing, so the bill fell.

The conclusion of the parliament set the whole nation in a general ferment ; both sides studied how to dispose people's minds in the new elections, with great industry and zeal : all people looked on the affairs of France as reduced to such a state, that the war could not run beyond the period of the next parliament ; a well-chosen one must prove a public blessing, not only to England, but to all Europe ; as a bad one would be fatal to us at home, as well as to our allies abroad : the affairs of France were run very low ; all methods of raising money were now exhausted, and could afford no great supplies ; so, in imitation of our exchequer-bills, they began to give out mint-bills ; but they could not create that confidence which is justly put in parliamentary credit. The French had hopes from their party here in England, and there was a disjointing in the several provinces of the United Netherlands ; but as long as we were firm and united, we had a great influence on the States, at least to keep things entire during the war ; so it was visible that a good election in England, must give such a prospect for three years as would have a great influence on all the affairs of Europe.

I must, before I end the relation of the parliament, say somewhat of the convocation that attended upon it, though it was then so little considered, that scarcely any notice was taken of them, and they deserved that no mention should be made of them. The lower house continued to proceed with much indecent violence : they still held their intermediate sessions, and brought up injurious and reflecting addresses to the upper house, which gave a very large exercise to the patience, and forbearance, of the archbishop and bishops : the archbishop, after he had borne long with their perverseness, and saw no good effect of it, proceeded to an ecclesiastical monition against their intermediate meetings ; this put a stop to that, for they would not venture on the censures that must in course follow, if no regard was had to the monition. At the final prorogation, the archbishop dismissed them with a wise, well-composed speech ; he laid open to them their indecent behaviour, and the many wrong steps they had made ; to this he added a severe, but grave reprimand, with much good advice. The governing men among them were headstrong and factious, and designed to force themselves into preferments, by the noise they made, and by the ill humour that they endeavoured to spread among the clergy, who were generally soured, even with relation to the queen herself, beyond what could be imagined possible.

Now having given a full relation of our counsels and other affairs at home, I shall next consider the progress of those abroad. The first operation of the campaign was before Gibraltar : Leak was sailing from Lisbon thither, and as he went out he met Dilka, who was sent from England to increase his force ; by this addition he had a strong fleet of thirty men of war, so he held on his course with all expedition, hoping to find Pointy in the bay of Gibraltar ; but a great storm had blown all, but five ships, up the Mediterranean. Pointy remained only with these, when he was surprised by Leak, who did quickly overpower him, and took three capital ships ; the other two, that were the greatest of them, were run ashore, and burnt near Marbella. Leak sailed to the Levant, to see if he could overtake those ships, that the wind had driven from the rest ; but after a fruitless pursuit for some days, he returned back to Gibraltar : that garrison was now so well supplied, that the Spaniards lost all hopes of being able to take it ; so they raised the siege, turning it into a very feeble blockade. This advantage came at the same time that Veruc was lost, to balance it.

Now the campaign was to be opened, the duke of Marlborough designed that the Moselle

should be the scene of action, and care had been taken to lay up magazines of all sorts in Triers: the States consented that he should carry the greatest part of their army to the Moselle, and resolved to lie on the defensive upon their own frontiers; for they reckoned that how strong soever the elector of Bavaria's army was at that time, yet whensoever France should be pressed, with so great a force as they reckoned would be on the Moselle, he would be ordered to send such detachments thither, that his army would be quickly diminished, and so would not have the superior strength long. Prince Lewis of Baden seemed to like this scheme of the campaign so well, and had concurred so cordially in the concert of it, during the winter, that no doubt was made of his being both able and willing to enter upon this new scene of the war: but as the duke of Marlborough was setting out, depending on his concurrence, he received an express from him, excusing himself both on his own want of health, and because the force he had about him was not considerable, nor was that which he expected likely to come to him so soon as might be wished for. This could not stop the duke of Marlborough, who had set his heart on opening the campaign in those parts, and had great hopes of success; so he resolved to push the matter as far as he could. He went to the prince of Baden to concert matters with him, whose ill health seemed only to be a pretence: it was true that the princes, and circles, of the empire had not sent in their quotas, but it appeared that there was already strength enough, in conjunction with the army, that the duke of Marlborough was to bring, to advance, and open the campaign with great advantage, at least until detachments should come from other parts: the prince of Baden at last consented to this, and promised to follow with all the forces he could bring.

The duke of Marlborough was so satisfied with these assurances, that he came back to his army, and quickened their march, so that he brought them to Triers; and he advanced eight leagues further, through so many defiles, that the French might easily have made his march both dangerous and difficult. He posted himself very near mareschal Villars's camp, not doubting but that the prince of Baden would quickly follow him; instead of that, he repeated his former excuse of want of health and force. That which gave the worst suspicions of him was, that it appeared plainly that the French knew what he intended to do, and their management showed they depended on it; for they ordered no detachments to increase M. Villars's army; on the contrary, the elector of Bavaria, having the superior force, pressed the States on their frontier. Huy was besieged and taken, after it had beyond all expectation held out ten days: Liege was attacked next; the town was taken, but the citadel held out. Upon this, the States sent to the duke of Marlborough to march back with all possible haste; he had then eat up the forage round about him, and was out of all hope of the prince of Baden's coming to join him; so he saw the necessity of marching back, after he had lost some weeks in a fruitless attempt: he made such haste in his march, that he lost many of his men in the way, by fatigue, and desertion; the French gave him no trouble, neither while he lay so near their camp, nor when he drew off, to march away with so much haste. To complete the ill conduct of the Germans, those who were left with the magazines at Triers, pretending danger, destroyed them all, and abandoning Triers, retired back to the Rhine.

The prince of Baden's conduct through this whole matter was liable to great censure; the worst suspicion was, that he was corrupted by the French. Those who did not carry their censure so far, attributed his acting as he did to his pride, and thought he, envying the duke of Marlborough, and apprehending that the whole glory of the campaign would be ascribed to him, since he had the stronger army, chose rather to defeat the whole design, than see another carry away the chief honour of any successes that might have happened. The duke of Marlborough came back in good time to raise the siege of the citadel of Liege; and he retook Huy in three days: after that, in conjunction with the Dutch army, he advanced towards the French lines; he for some days amused them with feints; at last he made the attack, where he had designed it, and broke through the lines, and gave a great defeat to the body of the French that defended them, with the loss only of seven men on his side; and so without more opposition he came very near Louvain, the Dyle running between his camp and the town; a deluge of rain fell that night, and swelled the Dyle so, that it was not possible to pass it. This gave the French time to recover themselves out of the first con-

sternation, that the advantages he had gained put them in: after a few days, when the passing the Dyle was practicable, the duke of Marlborough gave orders for it; but the French were posted with so much advantage on the other side, that the Dutch generals persuaded the deputies of the States, that they must run a great risk, if they should venture to force the passage. The duke of Marlborough was not a little mortified with this, but he bore it calmly, and moved another way. After some few motions, another occasion was offered, which he intended to lay hold on: orders were given to force the passage; but a motion through a wood, that was thought necessary to support that, was not believed practicable; so the deputies of the States were again possessed with the danger of the attempt: and they thought their affairs were in so good a condition, that such a desperate undertaking as that seemed to be, was not to be ventured on.

This was very uneasy to the duke, but he was forced to submit to it, though very unwillingly: all agreed that the enterprise was bold and doubtful; some thought it must have succeeded, though with some loss at first; and that if it had succeeded, it might have proved a decisive action; others indeed looked on it as too desperate. A great breach was likely to arise upon this, both in the army, and among the States at the Hague, and in the towns of Holland, in Amsterdam in particular; where the burghers came in a body to the Stadthouse, complaining of the deputies, and that the duke of Marlborough had not fuller powers.

I can give no judgment in so nice a point, in which military men were of very different opinions, some justifying the duke of Marlborough as much as others censured him: he showed great temper on this occasion, and though it gave him a very sensible trouble, yet he set himself to calm all the heat that was raised upon it. The campaign in Flanders produced nothing after this but fruitless marches, while our troops were subsisted in the enemy's country until the time came of going into winter quarters. Prince Lewis's backwardness, and the caution of the deputies of the States, made this campaign less glorious than was expected; for I never knew the duke of Marlborough go out so full of hopes as in the beginning of it; but things had not answered his expectation.

This summer the emperor Leopold died: he was the most knowing, and the most virtuous, prince of his communion: only he wanted the judgment that was necessary for conducting great affairs in such critical times: he was almost always betrayed, and yet he was so firm to those who had the address to insinuate themselves into his good opinion and confidence, that it was not possible to let him see those miscarriages that ruined his affairs so often, and brought them sometimes near the last extremities: of these every body else seemed more sensible than he himself. He was devout and strict in his religion, and was so implicit in his submission to those priests, who had credit with him, the jesuits in particular, that he owed all his troubles to their counsels. The persecution they began in Hungary raised one great war, which gave the Turks occasion to besiege Vienna, by which he was almost entirely swallowed up; this danger did not produce more caution; after the peace of Carlowitz, there was so much violence and oppression in the government of Hungary, both of papists and protestants, that this raised a second war there, which, in conjunction with the revolt of the elector of Bavaria, brought him a second time very near utter ruin: yet he could never be prevailed on, either to punish, or so much as to suspect those who had so fatally entangled his affairs: that without foreign aid nothing could have extricated them. He was naturally merciful to a fault, for even the punishment of criminals was uneasy to him: yet all the cruelty in the persecution of heretics seemed to raise no relenting in him. It could not but be observed by all protestants, how much the ill influence of the popish religion appeared in him, who was one of the mildest and most virtuous princes of the age, since cruelty in the matters of religion had a full course under him, though it was as contrary to his natural temper as it was to his interests, and proved oftener than once almost fatal to all his affairs. His son Joseph, elected king of the Romans, succeeded him both in his hereditary and elective dignities: it was given out, that he would apply himself much to business, and would avoid those rocks on which his father had struck, and almost split; and correct those errors to which his father's easiness had exposed him: he promised to those ministers, that the queen and the States had in his court, that he would offer all reasonable terms to



the Hungarians : and he consented to their setting a treaty on foot, in which they were to be the mediators, and become the guarantees for the observance of such articles as should be agreed on ; and he gave great hopes that he would not continue in that subjection to the priests, with which his father had been captivated.

He desired to confer with the duke of Marlborough, and to concert all affairs with him : the queen consented to this, and the duke went to Vienna, where he was treated with great freedom and confidence, and he had all assurances given him that could be given in words ; he found that the emperor was highly dissatisfied with the prince of Baden, but he had such credit in the empire, especially with the circles of Suabia and Franconia, that it was necessary to bear with that, which could not be helped. The duke of Marlborough returned through the hereditary dominions to Berlin, where he had learned so perfectly to accommodate himself to that king's temper, that he succeeded in every thing he proposed, and renewed all treaties for one year longer. He came from thence to the court of Hanover, and there he gave them full assurances of the queen's adhering firmly to their interests, in maintaining the succession to the crown in their family, with which the elector was fully satisfied ; but it appeared that the electress had a mind to be invited over to England. From thence he came back to Holland, and it was near the end of the year before he came over to England. Thus I have cast all that relates to him, in one continued series, though it ran out into a course of many months.

The German army was not brought together before August ; it was a very brave one, yet it did not much : the French gave way, and retired before them : Haguenau and some other places were left by the French, and possessed by the imperialists : a blockade was laid to Fort Lewis ; but nothing was done by that noble army, equal either to their numbers and strength, or to the reputation that the prince of Baden had formerly acquired. This was contrary to the general expectation : for it was thought, that being at the head of so great an army, he would have studied to have signalized himself, if it had been but to rival the glory that the duke of Marlborough and prince Eugene had acquired.

Prince Eugene had a hard time in Italy ; he had a weak army, and it was both ill-provided and ill-paid ; he was long shut up within the country of Bergamo ; at last he broke through to Cusano, where there was a very hot action between him and the duke of Vendôme ; both sides pretended they had the victory ; yet the duke of Vendôme repassed the river, and the imperialists kept the field of battle. The French threatened Turin with a siege, but they began with Chivas, which held out some months, and was at last abandoned ; the duke of Feuillade commanded the army near Turin, and seemed to dispose every thing in order to a siege ; but the design was turned upon Nice, though late in the year : they made a brave resistance for many weeks ; in December they were forced to capitulate, and the place was demolished by the French.

The firmness that the duke of Savoy expressed under all these losses, was the wonder of all Europe ; he had now but a small army of eight thousand foot and four thousand horse, and had scarcely territory enough to support these ; he had no considerable places left him but Turin and Coni ; but he seemed resolved to be driven out of all rather than abandon the alliance. His duchess, with all the clergy, and indeed all his subjects, prayed him to submit to the necessity of his affairs ; nothing could shake him ; he admitted none of his bishops nor clergy into his councils, and as his envoy, the count Briançon, told me, he had no certain father confessor, but sent sometimes to the Dominicans, and sometimes to the Franciscans for a priest, when he intended to go to confession.

I turn next to Spain, which was this year a scene of most important transactions : the first campaign in Portugal, before the hot season, produced nothing : the second campaign seemed to promise somewhat, but the conduct was so feeble, that though the earl of Galway did all that was possible to put things in a good posture, yet he saw a disposition in the ministers, and in their whole management, that made him often despair, and wish himself out of the service. Fagel, that commanded the Dutch forces, acted in every thing in opposition to him, and it was visible that the ministers did secretly encourage that by which they excused themselves.

King Charles was so disgusted with these proceedings, that he was become quite weary

of staying in Portugal; so when the fleet of the allies came to Lisbon with an army on board, of above five thousand men, commanded by the earl of Peterborough, he resolved to go aboard, and to try his fortune with them. The almirante of Castile died about that time; some thought that was a great loss, though others did not set so high a value upon him, nor on any of the intrigues that were among the *grandees* at Madrid; they were indeed offended with several small matters in king Philip's conduct, and with the ascendant that the French had in all their councils; for they saw every thing was directed by orders sent from Versailles, and that their king was really but a viceroy: they were also highly provoked at some innovations made in the ceremonial, which they valued above more important matters: many seemed disgusted at that conduct, and withdrew from the court. The marquis of Leganes was considered as most active in infusing jealousies and a dislike of the government into the other *grandees*, so he was seized on, and sent prisoner to Navarre; the *grandees*, in all their conduct, showed more of a haughty sullenness in maintaining their own privileges, than of a generous resolution to free their country from the slavery under which it was fallen; they seemed neither to have heads capable of laying any solid designs for shaking off the yoke, nor hearts brave enough to undertake it.

Our fleet sailed from Lisbon with king Charles; they stopped at Gibraltar, and carried along with them the prince of Hesse, who had been so long governor of Barcelona, that he knew both the temper, and the strength, and importance of the place. The first design of this expedition was concerted with the duke of Savoy; and the forces they had on board were either to join him, or to make an attempt on Naples or Sicily, as should be found most advisable: there were agents employed in different parts of Spain to give an account of the disposition people were in, and of what seemed most practicable. A body of men rose in Catalonia about Vick; upon the knowledge king Charles had of this, and upon other advertisements that were sent to our court, of the dispositions of those of that principality, the orders which king Charles desired were sent: and brought by a runner, that was dispatched from the queen to the fleet; so the fleet steered to the coast of Catalonia, to try what could be done there. The earl of Peterborough, who had set his heart on Italy and on prince Eugene, was not a little displeased with this, as appeared in a long letter from him, which the lord treasurer shewed me.

They landed not far from Barcelona, and were joined with many *Miquelets* and others of the country; these were good at plundering, but could not submit to a regular discipline, nor were they willing to expose themselves to dangerous services. Barcelona had a garrison of five thousand men in it; these were commanded by officers who were entirely in the interests of king Philip; it seemed a very unreasonable thing to undertake the siege of such a place, with so small a force; they could not depend on the raw and undisciplined multitudes that came in to join them, who if things succeeded not in their hands, would soon abandon them, or perhaps study to merit a pardon, by cutting their throats. A council of war was called, to consult on what could be proposed and done; Stanhope, who was one of them, told me, that both English and Dutch were all of opinion, that the siege could not be undertaken with so small a force; those within being as strong as they were, nor did they see any thing else worth the attempting: they therefore thought that no time was to be lost, but that they were all to go again on board, and to consider what course was next to be taken, before the season were spent, when the fleet would be obliged to return back again, and if they could not fix themselves any where before that time, they must sail back with the fleet. The prince of Hesse only was of opinion, that they ought to sit down before Barcelona; he said, he had secret intelligence of the good affections of many in the town, who were well known to him, and on whom he relied, and he undertook to answer for their success; this could not satisfy those who knew nothing of his secrets, and so could only judge of things by what appeared to them.

The debate lasted some hours; in conclusion, the king himself spoke near half an hour; he resumed the whole debate, he answered all the objections that were made against the siege, and treated every one of those who had made them, as he answered them, with particular civilities; he supported the truth of what the prince of Hesse had asserted, as being known to himself; he said, in the state in which his affairs then stood, nothing could be proposed

that had not great difficulties in it, all was doubtful, and much must be put to hazard ; but this seemed less dangerous than any other thing that was proposed : many of his subjects had come and declared for him, to the hazard of their lives ; it became him therefore to let them see, that he would run the same hazard with them ; he desired that they would stay so long with him, until such attempts should be made, that all the world might be convinced that nothing could be done, and he hoped that till that appeared, they would not leave him ; he added, that if their orders did oblige them to leave him, yet he could not leave his own subjects : upon this they resolved to sit down before Barcelona. They were all amazed to see so young a prince, so little practised in business, argue in so nice a point, with so much force, and conclude with such heroical resolutions. This proved happy in many respects ; it came to be known afterwards, that the Catalans and Miquelets, who had joined them, hearing that they were resolved to abandon them and go back to their ships, had resolved, either out of resentment, or that they might merit their pardon, to murder as many of them as they could. When this small army sat down before Barcelona, they found they were too weak to besiege it : they could scarcely mount their cannon : when they came to examine their stores, they found them very defective ; and far short of the quantities that by their lists they expected to find ; whether this flowed from treachery, or carelessness, I will not determine ; there is much of both in all our offices. It soon appeared that the intelligence was true concerning the inclinations of those in the town, their affections were entire for king Charles ; but they were over-awed by the garrison, and by Velasco, who as well as the duke of Popoli, who had the chief command, was devoted to the interests of king Philip. Deserters came daily from the town and brought them intelligence : the most considerable thing was, that fort Montjuy was very ill guarded, it being thought above their strength to make an attempt on it ; so it was concluded that all the hopes of reducing Barcelona lay in the success of their design on that fort. Two bodies were ordered to march secretly that night, and to move towards the other side of Barcelona, that the true design might not be suspected, for all the hopes of success lay in the secrecy of the march. The first body consisted of eight hundred, and both the prince of Hesse and the earl of Peterborough led them : the other body consisted of six hundred, who were to follow these at some distance, and were not to come above half way up the hill till further order : Stanhope led this body, from whom I had this account. They drew up with them some small field-pieces and mortars ; they had taken a great compass, and had marched all night, and were much fatigued by the time that they had gained the top of the hill ; three hundred of them, being commanded to another side of the fort, were separated from the rest, and mistaking their way, fell into the hands of a body of men, sent up from the town to reinforce the garrison in the fort ; before they were separated, the whole body had attacked the out-works, and carried them ; but while the prince of Hesse was leading on his men he received a shot in his body, upon which he fell ; yet he would not be carried off, but continued too long in the place giving orders, and died in a few hours, much and justly lamented. The governor of the fort, seeing a small body in possession of the out-works, resolved to sally out upon them, and drew up four hundred men in order to it ; these would soon have mastered a small and wearied body, disheartened by so great a loss ; so that if he had followed his resolution all was lost, for all that Stanhope could have done, was, to receive, and bring off such as could get to him ; but one of those newly taken, happening to cry out, " O poor prince of Hesse," the governor hearing this, called for him, and examined him, and when he learned that both the prince of Hesse and the earl of Peterborough were with that body, he concluded that the whole army was certainly coming up after them ; and reflecting on that, he thought it was not fit for him to expose his men, since he believed the body they were to attack would be soon much superior to him ; so he resolved not to risk a sally, but to keep within and maintain the fort against them. Thus the earl of Peterborough continued quiet in the out-works, and being reinforced with more men, he attacked the fort, but with no great hopes of succeeding : he threw a few bombs into it, one of these fell happily into the magazine of powder, and blew it up : by this the governor and some of the best officers were killed, which struck the rest with such a consternation, that they delivered up the place. This success gave them great hopes, the town lying just under the hill, which the fort stood on ; upon this the party in Barce-



lona, that was well affected to king Charles, began to take heart, and to show themselves: and after a few days' siege, another happy bomb fell with so good an effect, that the garrison was forced to capitulate.

King Charles was received into Barcelona with great expressions of joy: in the first transport, they seemed resolved to break through the articles granted to the garrison, and to make sacrifices of the chief officers at least. Upon that the earl of Peterborough, with Stanhope and other officers, rode about the streets to stop this fury, and to prevail with the people to maintain their articles religiously; and in doing this, Stanhope said to me, they ran a greater hazard, from the shooting and fire that was flying about in that disorder, than they had during the whole siege: they at last quieted the people, and the articles of capitulation were punctually observed. Upon this unexpected success, the whole principality of Catalonia declared for king Charles: I will not prosecute this relation so minutely in other parts of it, having set down so particularly that which I had from so good a hand, chiefly to set forth the signal steps of Providence that did appear in this matter.

Soon after, our fleet sailed back to England, and Stanhope was sent over in it, to give a full relation of this great transaction\*: by him king Charles wrote to the queen a long and clear account of all his affairs; full of great acknowledgments of her assistance, with a high commendation of all her subjects, more particularly of the earl of Peterborough; the queen was pleased to show me the letter: it was all written in his own hand, and the French of it was so little correct, that it was not like what a secretary would have drawn for him: so from that I concluded he penned it himself. The lord treasurer had likewise another long letter from him, which he showed me; it was all in his own hand; one correction seemed to make it evident that he himself composed it. He wrote towards the end of the letter, that he must depend on his "protection;" upon reflection, that word seemed not fit for him to use to a subject, so it was dashed out, but the letters were still plain, and instead of it, "application" was written over head: these letters gave a great idea of so young and inexperienced a prince, who was able to write with so much clearness, judgment, and force. By all that is reported of the prince of Lichtenstein, that king could not receive any great assistance from him; he was spoken of as a man of a low genius, who thought of nothing but the ways of enriching himself, even at the hazard of ruining his master's business.

Our affairs at sea were more prosperous this year than they had been formerly; in the beginning of the season our cruisers took so many of the French privateers, that we had some thousands of their seamen in our hands: we kept such a squadron before Brest, that the French fleet did not think fit to venture out, and their Toulon squadron had suffered so much in the action of the former years, that they either could not, or would not venture out; by this means our navigation was safe, and our trade was prosperous.

The second campaign in Portugal ended worse than the first: Badajos was besieged, and the earl of Galway hoped he should have been quickly master of it; but his hopes were not well grounded, for the siege was raised: in one action the earl of Galway's arm was broken by a cannon ball: it was cut off, and for some days his life was in great danger; the miscarriage of the design heightening the fever that followed his wound, by the vexation that it gave him. But now, upon the news from Catalonia, the councils of Portugal were quite changed; they had a better prospect than formerly, of the reduction of Spain; the war was

\* James Stanhope, baron and viscount Mahon, and earl Stanhope, descended from the earls of Chesterfield, was born in Herefordshire during the year 1673. Whilst a youth he resided for several years with his father in Spain, and acquired a perfect knowledge of its language. It is impossible in the compass of a note to follow him through all his services, for England has given birth to few who can compete with him in the successful exercise of great and various talents. Entering the army, he became, in 1705, a brigadier-general. His military services are associated with the histories of Namur, Cadiz, Rodedello, Barcelona, Minorca, and Madrid. In the senate, whether as a commoner, or peer, he greatly distinguished himself. On the accession of George the First, he was appointed secretary of state; and, in 1716,

filled, with equal reputation, the offices of first lord of the treasury, and chancellor of the exchequer. As a negotiator he was never surpassed, as was acknowledged at Paris, Madrid, the Hague, and Berlin, whither and elsewhere he went, as ambassador and plenipotentiary. His own sovereigns highly esteemed him, and the chief continental monarchs respected and personally valued him. He died suddenly. While speaking with great animation in the house of lords, he was seized with a giddiness that was the prelude of death, which supervened the following day, February the 5th, 1721. When George the First received this mournful announcement he burst into tears, and retired for some hours into his closet. His funeral was accompanied with the greatest honours.—*British Peerage; Noble's Contin. of Grainger.*

now divided, which lay wholly upon them before; and the French party in that court had no more the old pretence to excuse their councils by, which was, that it was not fit for them to engage themselves too deep in that war, nor to provoke the Spaniards too much, and so expose themselves to revenges, if the allies should despair and grow weary of the war, and recall their troops and fleets. But now that they saw the war carried on so far, in the remotest corner of Spain, which must give a great diversion to king Philip's forces, it seemed a much safer, as well as it was an easier thing to carry on the war, with more vigour for the future. Upon this, all possible assurances were given the earl of Galway, that things should be conducted hereafter fully to his content. So that by two of his dispatches, which the lord treasurer showed me, it appeared that he was then fully convinced of the sincerity of their intentions, of which he was in great doubt, or rather despairing formerly.

In Hungary matters went on very doubtfully; Transylvania was almost entirely reduced; Ragotzi had great misfortunes there, as the court of Vienna published the progress of the new emperor's arms, but this was not to be much depended on; they could not conceal on the other hand the great ravages that the malcontents made in other places: so that Hungary continued to be a scene of confusion and plunder.

Poland was no better: king Augustus's party continued firm to him, though his long stay in Saxony gave credit to a report spread about, that he was resolved to abandon that kingdom, and to return to it no more; this summer passed over in motions, and actions of no great consequence; what was gained in one place was lost in another. Stanislaus got himself to be crowned: the old cardinal, though summoned to Rome, would not go thither; he suffered himself to be forced to own Stanislaus, but died before his coronation, and that ceremony was performed by the bishop of Cujavia: the Muscovites made as great ravages in Lithuania, as they had done formerly in Livonia: the king of Sweden was in perpetual motion; but though he endeavoured it much, he could not bring things to a decisive action. In the beginning of winter, king Augustus, with two persons only, broke through Poland in disguise, and got to the Muscovite army, which was put under his command. The campaign went on all the winter season, which, considering the extreme cold in those parts, was thought a thing impracticable before. In the spring after, Reinschild, a Swedish general, fell upon the Saxon army, that was far superior to his in number: he had not above ten thousand men, and the Saxons were about eighteen thousand: he gave them a total defeat, killed about seven thousand, and took eight thousand prisoners, and their camp, baggage, and artillery: numbers upon such occasions are often swelled, but it is certain this was an entire victory; the Swedes gave it out, that they had not lost a thousand men in the action; and yet even this great advantage was not likely to put an end to the war, nor to the distractions into which that miserable kingdom was cast. In it the world saw the mischiefs of an elective government, especially when the electors have lost their virtue, and set themselves to sale. The king of Sweden continued in an obstinate aversion to all terms of peace; his temper, his courage, and his military conduct were much commended; only all said he grew too savage, and was so positive and peremptory in his resolutions, that no applications could soften him; he would scarcely admit them to be made; he was said to be devout almost to enthusiasm, and he was severely engaged in the Lutheran rigidity, almost equally against papists and calvinists: only his education was so much neglected, that he had not an equal measure of knowledge to direct his zeal.

This is such a general view of the state of Europe this summer, as may serve to show how things went on in every part of it. I now return to England. The election of the members of the house of commons was managed with zeal and industry on both sides: the clergy took great pains to infuse into all people, tragical apprehensions of the danger the church was in: the universities were inflamed with this, and they took all means to spread it over the nation with much vehemence: the danger the church of England was in, grew to be as the word given in an army; men were known as they answered it: none carried this higher than the jacobites, though they had made a schism in the church: at last, even the papists, both at home and abroad, seemed to be disturbed, with the fears that the danger our church was in, put them under; and this was supported by the Paris Gazette, though the party

seemed concerned and ashamed of that. Books were written and dispersed over the nation with great industry, to possess all people with the apprehensions that the church was to be given up, that the bishops were betraying it, and that the court would sell it to the dissenters. They also hoped that this campaign, proving less prosperous than had been expected, might put the nation into ill humour, which might furnish them with some advantages. In opposition to all this, the court acted with such caution and coldness, that the whigs had very little strength given them by the ministers, in managing elections: they seemed rather to look on as indifferent spectators, but the whigs exerted themselves with great activity and zeal. The dissenters, who had been formerly much divided, were now united, entirely in the interests of the government, and joined with the whigs every where.

When the elections were all over, the court took more heart; for it appeared, that they were sure of a great majority, and the lord Godolphin declared himself more openly than he had done formerly in favour of the whigs: the first instance given of this, was the dismissing of Wright, who had continued so long lord-keeper, that he was fallen under a high degree of contempt with all sides; even the torics, though he was wholly theirs, despising him: he was sordidly covetous, and did not at all live suitably to that high post: he became extremely rich, yet I never heard him charged with bribery in his court, but there was a foul rumour, with relation to the livings of the crown, that were given by the great seal, as if they were set to sale, by the officers under him.

The seals being sent for, they were given to Cowper, a gentleman of a good family, of excellent parts, and of an engaging deportment, very eminent in his profession, and who had for many years been considered as the man who spoke the best of any in the house of commons: he was a very acceptable man to the whig party: they had been much disgusted with the lord treasurer for the coldness he expressed, as if he would have maintained a neutrality between the two parties; though the one supported him, while the other designed to ruin him: but this step went a great way towards the reconciling the whigs to him\*.

\* William Cowper, viscount Fordwich, earl Cowper, was a native of Hertfordshire, and supposed to have been born at Hertford Castle; but neither in the registers of its churches, nor in the church where he was buried, is there any testimonial of his merits, or a record of his age. There is in Hertingfordbury church a splendid mausoleum for the Cowper family, and inscriptions to the memory of some of its members; but of lord chancellor Cowper, the most talented, and most honoured of the race, there is not a tributary line. He, and his brother Spencer, devoted themselves to the law; the latter was left behind by his senior in the race for honourable distinction, yet did not die unpromoted, for at his decease he was a justice of the common pleas. The future lord chancellor soon became distinguished for legal acquirements, for not long after his admission to the bar, he was elected recorder of Colechester. Our law records show how extensively he was employed as an advocate, and how much he merited this success. His superior qualifications and his consistent conduct as one of the whig party, gained him the seals, as mentioned above. The duchess of Marlborough claims credit for his promotion. She says, "I prevailed with her majesty to take the great seal from sir Nathan Wright, a man despised by all parties, of no use to the crown, and whose weak and wretched conduct in the court of chancery had almost brought the office into contempt. His removal, however, was a great loss to the church, for which he had ever been a warm stickler; and this loss was more sensibly felt, as his successor, my lord Cowper, was not only of the whig party, but of such abilities and integrity, as brought a new credit to it in the country." (Account of the Conduct of the Duchess of Marlborough.) Mrs. Maaham having superseded the duchess in the favour of Queen Anne, by her intrigues, aided by Mr. Harley, and others of the tory party, the whigs were removed from office, and lord Cowper, notwithstanding the solicitation of the queen, refused to retain the chancellorship connected with those

from whom he totally differed in politics. On the accession of George the First, he again was placed upon the woolpack, but finally resigned office in 1718. He died in 1723. To Swift he was opposed in politics, therefore by him his lordship was virulently abused. In numbers 18, 23, and 27 of "*The Examiner*," the dean attacks him by the name of "Will Bigamy," alluding to a charge that was made against his lordship of having had a fictitious marriage with one lady, and then being legally united to another. The truth, or falsehood of this charge, is not certain. It may, perhaps, be admitted, that his abilities were not of the highest cast, but the intrinsic value of his character was sustained by the unimpeachable integrity he possessed. This may be instanced by the objection which he had to the easy enactment of private bills, and the consequent fees he received; and to the new year's gifts, that it had become customary for the lord chancellors to receive. As an orator at the bar, and in the senate, he was generally admired; yet his contemporary, lord Chesterfield, says, "his strength lay by no means in his reasoning, for he often hazarded very weak ones. But such was the purity and elegance of his style, that he never spoke without universal applause. The ears and the eyes gave him up the hearts and the understanding of the audience." To elegance of style, and harmony of voice, he added the most graceful and urbane manners. This appeared very eminently when he sat as chief judge at the trial of the earl of Oxford and other noblemen. It was so characteristic, that Pope, in detailing a complimentary dialogue between two sergeants-at-law, puts into their mouths these words:—

"'Twas, sir, your law;" and, "Sir, your eloquence,"  
"Your's, Cowper's manner," and "Your's Talbot's sense."

One anecdote illustrative of his benevolent manner must not be omitted. In 1705, Richard Cromwell, the ex-protector, lost his only son, unmarried. By this, Richard



A session of parliament met this summer in Scotland: there was a change made in the ministry there: those who were employed in the former session could not undertake to carry a majority; so all the duke of Queensbury's friends were again brought into employment. The duke of Argyle's instructions were, that he should endeavour to procure an act, settling the succession as it was in England, or to set on foot a treaty for the union of the two kingdoms: when he came to Scotland, and laid his instructions before the rest of the ministers there, the marquis of Annandale pressed that they should first try that which was first named in the instructions, and he seemed confident that if all who were in employments would concur in it, they should be able to carry it. Those of another mind, who were in their hearts for the pretended prince of Wales, put this by with great zeal; they said they must not begin with that which would meet with great opposition, and be perhaps rejected; that would beget such an union of parties, that if they miscarried in the one, they would not be able to carry the other; therefore they thought that the first proposition should be for the union; that was popular, and seemed to be a remote thing; so there would be no great opposition made to a general act about it. Those who intended still to oppose it, would reckon they would find matter enough in the particulars to raise a great opposition, and so to defeat it. This course was agreed on, at which the marquis of Annandale was so highly offended, that he concurred no more in the councils of those who gave the other advice. Some did sincerely desire the union, as that which would render the whole island happy; others were in their hearts against it; they thought it was a plausible step, which they believed would run, by a long treaty, into a course of some years; that during that time they would be continued in their employments, and they seemed to think it was impossible so to adjust all matters as to frame such a treaty as would pass in the parliaments of both kingdoms. The jacobites concurred all heartily in this; it kept the settling the succession at a distance, and very few looked on the motion for the union as any thing but a pretence, to keep matters yet longer in suspense; so this being proposed in parliament, it was soon and readily agreed to, with little or no opposition. But that being over, complaints were made of the acts passed, in the parliament of England; which carried such an appearance of threatening, that many thought it became them not to enter on a treaty till these should be repealed. It was carried, but not without difficulty, that no clause relating to that should be in the act that empowered the queen to name the commissioners; but that an address should be made to the queen, praying her that no proceedings should be made in the treaty till the act that declared the Scotch aliens by such a day, should be repealed: they also voted, that none of that nation should enter upon any such treaty till that were first done. This was popular, and no opposition was made to it; but those who had ill intentions hoped that all would be defeated by it. The session run out into a great length, and in the harvest-time, which put the country to a great charge.

In Ireland, the new heat among the protestants there, raised in the earl of Rochester's time, and connived at, if not encouraged by the duke of Ormond, went on still: a body of hot clergymen sent from England, began to form meetings in Dublin, and to have emissaries and a correspondence over Ireland, on design to raise the same fury in the clergy of that kingdom against the dissenters that they had raised here in England: whether this was only the effect of an unthinking and ill-governed heat among them, or if it was set on by foreign practices, was not yet visible. It did certainly serve their ends, so that it was not to be doubted that they were not wanting in their endeavours to keep it up, and to promote it, whether they were the original contrivers of it, or not; for indeed hot men,

became entitled to a life estate in the manor of Hurstley, near Winchester. He sent his youngest daughter to take possession of the estate, but instead of surrendering it to her father, she and her sisters endeavoured to retain it, pleading that he was superannuated, and that they would allow him an annuity. Richard's advanced age did not prevent him behaving with becoming spirit. He proceeded against his rebellious children, and having to appear in court, his sister, lady Fauconberg, sent him thither in her coach. Lord Cowper, remembering Cromwell's former elevation, conducted him into an apartment where

he had refreshments, and when in court he allowed him to be seated and covered. One of the opponent counsel objecting to this was immediately stopped by the chancellor, who eventually decreed in his favour. The chancellor's conduct was approved by queen Anne. Mr. Bulstrode Whitelocke being in court, observed, "This day so many years ago, I saw my father carry the great seal before that man (Cromwell) through Westminster Hall."—*Biog. Britannica* by Kippis; *Miss Hawkins's Memoirs*: *Noble's Contin. of Grainger*.

not practised in affairs, are apt enough of their own accord to run into wild and unreasonable extravagances.

The parliament of England met in the end of October: the first struggle was about the choice of a speaker, by which a judgment was to be made of the temper and inclinations of the members. The court declared for Mr. Smith; he was a man of clear parts, and of a good expression: he was then in no employment, but he had gone through great posts in the former reign, with reputation and honour. He had been a commissioner of the treasury, and chancellor of the exchequer: he had, from his first setting out into the world, been thoroughly in the principles and interests of the whigs, yet with a due temper in all personal things, with relation to the tories; but they all declared against him for Mr. Bromley, a man of a grave deportment, and good morals, but looked on as a violent tory, and as a great favourer of jacobites; which appeared evidently in a relation he printed of his travels\*. No matter of that sort had ever been carried with such heat on both sides as this was: so that it was just to form a judgment upon it of the temper of the house, it went for Mr. Smith by a majority of four-and-forty.

The queen, after she had confirmed this choice, made a speech, in which she recommended union to them, in a very particular manner: she complained of the reports that were spread by ill-designing men, of the danger the church was in, who under these insinuations covered that which they durst not own†. She recommended the care of the public supplies to the commons, and spoke of the duke of Savoy in high and very obliging terms. This produced addresses from both houses, in which they expressed a detestation of those practices of infusing into her subjects groundless fears concerning the church: this went easily, for some kept out of the way, from whom it was expected that they would afterwards open more copiously on the subject. The chairmen of the several committees of the house of commons, were men of whom the court was well assured.

The first matter with which they commonly begin is to receive petitions against the members returned, so that gave a further discovery of the inclinations of the majority: the corruption of the nation was grown to such a height, and there was so much foul practice on all hands, that there was, no doubt, great cause of complaint. The first election that was judged was that of St. Albans, where the duchess of Marlborough had a house: she recommended admiral Killigrew to those in the town, which was done all England over, by persons of quality, who had any interest in the burghers; yet though much foul practice was proved on the other hand, and there was not the least colour of evidence to fix any ill practice on her, some reflected very indecently upon her: Bromley compared her to Alice Piers, in king Edward the Third's time, and said many other virulent things against her; for indeed she was looked upon by the whole party, as the person who had reconciled the whigs to the queen, from whom she was naturally very averse. Most of the controverted elections were carried in favour of the whigs: in some few they failed, more by reason of private animosities, than by the strength of the other side. The house of commons came readily in to vote all the supplies that were asked, and went on to provide proper funds for them.

The most important debates that were in this session began in the house of lords; the queen being present at them all. The lord Haversham opened the motions of the tory side; he arraigned the duke of Marlborough's conduct, both on the Moselle and in Brabant, and reflected severely on the Dutch, which he carried so far as to say, that the war cost them nothing; and after he had wandered long in a rambling discourse, he came at last to the point which was laid to be the debate of the day: he said we had declared a successor to the crown, who was at a great distance from us; while the pretender was much nearer; and Scotland was armed and ready to receive him; and seemed resolved not to have the same

\* The right honourable William Bromley appears to have been the son of sir William Bromley, knight of the Bath, resident at Baggington, in Warwickshire. Wealthy and highly estimable in private life, he had great interest with the party he supported. He represented the university of Oxford in parliament from 1701 until 1727. Though he failed obtaining the speakership as mentioned above, yet when the ministry was changed, in 1710, he was

raised to the chair without opposition. He died in 1732. His "Travels," published when he was a young man, rendered him distinguished for his jacobinical opinions.—Noble's Contin. of Grainger.

† The debate upon this part of the queen's speech, was very animated in the house of lords.—See Chandler's Debates, li. 154; where Burnet's and other peers' speeches are given.

successor, for whom England had declared ; these were threatening dangers that hung over us, and might be near us. He concluded, that he did not see how they could be prevented, and the nation made safe, by any other way, but by inviting the next successor to come and live among us. The duke of Buckingham, the earls of Rochester, Nottingham, and Anglesey carried on the debate, with great earnestness : it was urged, that they had sworn to maintain the succession, and by that they were bound to insist on this motion, since there was no means so sure to maintain it, as to have the successor upon the spot ready to assume and maintain his right : it appeared, through our whole history, that whosoever came first into England had always carried it : the pretending successor might be in England within three days, whereas it might be three weeks before the declared successor could come : from thence it was inferred that the danger was apparent and dreadful, if the successor should not be brought over : if king Charles had been in Spain when the late king died, probably that would have prevented all this war, in which we were now engaged \*. With these lords, by a strange reverse, all the tories joined ; and by another, and as strange a reverse, all the whigs joined in opposing it. They thought this matter was to be left wholly to the queen ; that it was neither proper nor safe either for the crown, or for the nation, that the heir should not be in an entire dependence on the queen ; a rivalry between two courts might throw us into great distractions, and be attended with very ill consequences : the next successor had expressed a full satisfaction, and rested on the assurances the queen had given her, of her firm adherence to her title, and to the maintaining of it : the nation was prepared for it by the orders the queen had given to name her in the daily prayers of the church : great endeavours had been used to bring the Scotch nation to declare the same successor. It was true, we still wanted one great security, we had not yet made any provision for carrying on the government, for maintaining the public quiet, for proclaiming and sending for the successor, and for keeping things in order till the successor should come : it seemed therefore necessary, to make an effectual provision against the disorders that might happen in such an interval. This was proposed first by myself, and it was seconded by the lord Godolphin, and all the whigs went into it ; and so the question was put upon the other motion, as first made, by a previous division, whether that should be put, or not, and was carried in the negative by about three to one.

The queen heard the debate, and seemed amazed at the behaviour of some, who, when they had credit with her, and apprehended that such a motion might be made by the whigs, had possessed her with deep prejudices against it ; for they made her apprehend, that when the next successor should be brought over, she herself would be so eclipsed by it, that she would be much in the successor's power, and reign only at her, or his, courtesy : yet these very persons, having now lost their interest in her, and their posts, were driving on that very motion which they had made her apprehend was the most fatal thing that could befall. This the duchess of Marlborough told me, but she named no person ; and upon it a very black suspicion was taken up, by some, that the proposers of this matter knew, or at least believed, that the queen would not agree to the motion, which way soever it might be brought to her ; whether in an address, or in a bill ; and then they might reckon, that this would give such a jealousy, and create such a misunderstanding between her and the parliament, or rather the whole nation, as would unsettle her whole government, and put all things in disorder. But this was only a suspicion, and more cannot be made of it.

The lords were now engaged to go on in the debate for a regency ; it was opened by the lord Wharton in a manner that charmed the whole house † : he had not been present at the former debate, but he said he was much delighted with what he had heard concerning it ;

\* The speech of lord Haversham is given in Chandler's Debates, House of Lords, ii. 148.

† Thomas, marquis of Wharton, is described by those who knew him, as perfectly a gentleman in his manners, of superior mental capacity, and highly courageous ; but he was the greatest libertine of his time. He gloried in being vicious ; he was a slave to women, wine, and every excess. To support the consequent expense, no bribery was too barefaced. Such a man necessarily scoffed at

religion—for to him nothing would be more appalling than to be convinced of its truth. William employed him, but would never make him prime minister. Anne advanced him, but could not trust him. George the First made him lord privy seal. He died, aged sixty-six, in the year 1715. He is believed to have written the ballad of "Lillibullero."—Birch's Lives ; Mackay's Characters ; Noble's Contin. of Grainger.



he said, he had ever looked on the securing a protestant succession to the crown as that which secured all our happiness : he had heard the queen recommend, from the throne, union and agreement to all her subjects, with a great emotion in his own mind ; it was now evident there was a divinity about her when she spoke ; the cause was certainly supernatural, for we saw the miracle that was wrought by it ; now all were for the protestant succession ; it had not been always so : he rejoiced in their conversion, and confessed it was a miracle : he would not, he could not, he ought not to suspect the sincerity of those who moved for inviting the next successor over ; yet he could not hinder himself from remembering what had passed, in a course of many years ; and how men had argued, voted and protested all that while. This confirmed his opinion that a miracle was now wrought, and that might oblige some to show their change, by an excess of zeal, which he could not but commend, though he did not fully agree to it. After this preamble he opened the proposition for the regency, in all the branches of it ; that regents should be empowered to act, in the name of the successor, till he should send over orders ; that besides those, whom the parliament should name, the next successor should send over a nomination sealed up, and to be opened, when that accident should happen, of persons who should act in the same capacity with those who should be named by parliament ; so the motion being thus digested, was agreed to by all the whigs, and a bill was ordered to be brought in, pursuant to these propositions. But upon the debate on the heads of the bill, it did appear that the conversion, which the lord Wharton had so pleasantly magnified, was not so entire as he seemed to suppose : there was some cause given to doubt of the miracle ; for when a security, that was real and visible, was thus offered, those who made the other motion, flew off from it. They pretended, that it was because they could not go off from their first motion ; but they were told, that the immediate successor might indeed, during her life, continue in England, yet it was not to be supposed that her son, the elector, could be always absent from his own dominions, and throw off all care of them, and of the concerns of the empire, in which he bore so great a share. If he should go over for ever so short a time, the accident might happen, in which it was certainly necessary to provide such an expedient as was now offered. This laid them open to much censure, but men engaged in parties are not easily put out of countenance. It was resolved that the regents should be seven and no more ; and they were fixed by the posts they were in : the archbishop of Canterbury, the lord keeper, the lord treasurer, lord president, lord privy seal, lord high admiral, and the lord chief justice for the time being, were named for that high trust. The tories struggled hard, that the lord treasurer should not be one, only to show their spite to the lord Godolphin, but the motion was rejected with scorn ; for it seemed ridiculous, in a time, when there might be much occasion for money, to exclude an officer from that high trust, who alone could furnish them with it, or direct them how to be furnished. The tories moved, that the lord mayor of London should be one, but that was likewise rejected ; for the design of the act was, that the government should be carried on by those who should be at that time in the conduct and secret of affairs, and were persons nominated by the queen ; whereas the lord mayor was chosen by the city, and had no practice in business. These regents were required to proclaim the next successor, and to give orders for the like proclamation over England and Ireland : the next successor might send a triplicate of the persons, named by her or him ; one of these was to be deposited with the archbishop of Canterbury, another with the lord keeper, and a third with his own minister, residing at this court ; upon the producing whereof, the persons nominated were to join with the regents, and to act in equality with them ; the last parliament, even though dissolved, was to be presently brought together, and empowered to continue sitting for six months ; and thus things were to be kept in order till the successor should either come in person, or send over his orders.

The tories made some opposition to every branch of the act, but in that of the parliament's sitting the opposition was more remarkable. The earl of Rochester moved that the parliament and the regents should be limited, to pass no act of repeal of any part of the act of uniformity, and, in his positive way, said, if this was not agreed to, he should still think the church was in danger, notwithstanding what they had heard from the throne in the beginning of the session. It was objected to this, that if the regal power was in the regents, and if

the parliament was likewise a legal one, then, by the constitution, the whole legislature was in them, and that could not be limited : for they could repeal any law that limited them. But the judges were of opinion that the power of regents might be limited. So that, as the design of moving this might be to have a new colour to possess the clergy that there was a secret design against the church, which might break out at such a time, the lords gave way to it, though they thought it unreasonable, and proposed with no good design. The tories, upon the yielding this to them, proposed a great many more limitations ; such as the restraining the regents from consenting to a repeal of the act for triennial parliaments, the acts for trials in cases of treason, and some others : and so extravagant were they in their design of making the act appear ridiculous, that they proposed as a limitation that they should not have power to repeal the acts of succession. All these were rejected with scorn and indignation ; the lords seeing by this their error in yielding to that proposed by the earl of Rochester. The bill passed in the house of lords, but the tories protested against it.

I never knew any thing in the management of the tories by which they suffered more in their reputation than by this. They hoped that the motion for the invitation would have cleared them of all suspicions of inclinations towards the pretended prince of Wales, and would have reconciled the body of the nation to them, and turned them against all who should oppose it ; but the progress of the matter produced a contrary effect. The management was so ill disguised, that it was visible they intended only to provoke the queen by it, hoping that the provocation might go so far, that in the sequel all their designs might be brought about, though by a method that seemed quite contrary to them, and destructive of them.

The bill lay long in the house of commons, by a secret management that was against it. The tories there likewise proposed that the next successor should be brought over, which was opposed by the whigs, not by any vote against it, but by resolving to go through the lords' bill first. The secret management was from Hanover. Some indigent persons, and others employed by the tories, had studied to infuse jealousies of the queen and her ministers into the old electoress. She was then seventy-five, but had still so much vivacity, that, as she was the most knowing and the most entertaining woman of the age, so she seemed willing to change her scene, and to come and shine among us here in England \*. They prevailed with her to write a letter to the archbishop of Canterbury, intimating her readiness to come over, if the queen and parliament should desire it. This was made public by the intriguing persons in that court : and a colour was soon found to keep some whigs from agreeing to the act †. In the act that first settled the succession, one limitation (as was told in its proper place) had been, that when the crown should pass into that house, no man who had either place or pension should be capable of sitting in the house of commons. The clause in this bill, that empowered either the parliament that should be current at the queen's death, or that which had sat last (though dissolved), to sit for six months, or till the successor should dissolve it, seemed contrary to this incapacitating clause in the former act. Great exceptions were taken to this by some zealous whigs, who were so possessed with the notion of a self-denying bill, as necessary to preserve public liberty from the practices of a designing court, that for some weeks there was cause to fear not only the loss of the bill, but a breach among the whigs upon this head. Much pains were taken, and with very good effect, to heal this. It was at last settled : a great many offices were enumerated, and it

\* Sophia Hedivischia was the youngest of the twelve children of Frederic, elector palatine, titular king of Bohemia, and Elizabeth, the only sister of Charles the First. She was born at the Hague in 1630, and married Ernest Augustus, duke of Hanover, in 1658. The agitation of her mind, at the time of which Burnet treats in the above page, is supposed to have hastened her death. She died suddenly in the gardens of Haurenhausen, in 1714. Queen Anne only survived her fifty-three days. Sophia's long life was spotless. She had as many virtues, and confessedly more accomplishments, than any of the princesses her contemporaries. She spoke Low Dutch,

German, French, and Italian, and was a proficient in Latin. She was as great a worker with her needle as her contemporary, our queen Mary. These purluits did not injure her health, for she constantly used the exercise of walking : age had not marked her with wrinkles, nor deprived her of teeth.—Noble's Contin. of Grainger.

† A pamphlet, recommending the visit to England of the electoress, was published, entitled, "A Letter from Sir Rowland Gwynn to the earl of Stamford." The commons voted it seditious, &c. See Chandler's Debates of H. of Commons, iii. 436.

was declared that every man who held any of these, was thereby incapacitated from sitting in the house of commons; and every member of the house, who did accept of any other office, was upon that excluded the house, and a new writ was to go out to those whom he represented to choose again: but it was left free to them to choose him or any other, as they pleased. It was desired by those who pressed this matter most, that it should take place only in the next reign; but, to remove all jealousy, the ministers were content that these clauses should take place immediately upon the dissolution of the present parliament. And when the house of commons sent up these self-denying clauses to the lords, they added to them a repeal of that clause, in the first act of succession, by which the succeeding princes were limited to govern by the advice of their council, and by which all the privy counsellors were to be obliged to sign their advices; which was impracticable, since it was visible that no man would be a privy counsellor on those terms. The lords added the repeal of this clause to the amendments sent up by the commons, and the commons readily agreed to it.

After this act had passed, the lord Halifax, remembering what the earl of Rochester had said concerning the danger the church might be in, moved that a day might be appointed to enquire into those dangers, about which so many tragical stories had been published of late. A day was appointed for this, and we were all made believe that we should hear many frightful things; but our expectations were not answered. Some spoke of danger from the presbytery that was settled in Scotland: some spoke of the absence of the next successor: some reflected on the occasional bill that was rejected in that house: some complained of the schools of the dissenters: and others reflected on the principles that many had drank in, that were different from those formerly received, and that seemed destructive of the church.

In opposition to all this, it was said that the church was safer now than ever it had been. At the revolution, provision was made that our king must be of the reformed religion, nor was this all; in the late act of succession it was enacted, that he should be of the communion of the church of England. It was not reasonable to object to the house the rejecting a bill which was done by the majority, of whom it became not the lesser number to complain. We had all our former laws left to us, not only entire, but fortified by late additions and explanations; so that we were safer in all these than we had been at any time formerly. The dissenters gained no new strength, they were visibly decreasing; the toleration had softened their tempers, and they concurred zealously in serving all the ends of the government: nor was there any particular complaint brought against them: they seemed quiet and content with their toleration, if they could be but secure of enjoying it. The queen was taking the most effectual means possible to deliver the clergy from the depression of poverty, that brought them under much contempt, and denied them the necessary means and helps of study. The bishops looked after their dioceses with a care that had not been known in the memory of man. Great sums were yearly raised by their care and zeal, for serving the plantations, better than had ever yet been done. A spirit of zeal and piety appeared in our churches, and at sacrament, beyond the example of former times. In one respect it was acknowledged the church was in danger: there was an evil spirit and a virulent temper spread among the clergy: there were many indecent sermons preached on public occasions, and those hot clergymen, who were not the most regular in their lives, had raised factions in many dioceses against their bishops. These were dangers created by those very men who filled the nation with this outcry against imaginary ones, while their own conduct produced real and threatening dangers. Many severe reflections were thrown out on both sides in the progress of this debate.

It ended in a vote, carried by a great majority, that the church of England, under the queen's happy administration, was in a safe and flourishing condition; and to this a severe censure was added on the spreaders of these reports of dangers, that they were the enemies of the queen and of her government. They also resolved to make an address to the queen, in which, after this was set forth, they prayed her to order a prosecution, according to law, of all who should be found guilty of this offence. They sent this down to the house of commons, where the debate was brought over again, but it was run down with great force.



The commons agreed with the lords, and both houses went together to the queen with this address. Such a concurrence of both houses had not been seen for some years. And indeed there was in both so great a majority for carrying on all the interests of the government, that the men of ill intentions had no hopes, during the whole session, of embroiling matters, but in the debates concerning the self-denying clause above-mentioned.

But though the main designs and hopes of the party had thus not only failed them, but turned against them, yet they resolved to make another attempt: it was on the duke of Marlborough, though they spoke of him with great respect. They complained of the errors committed this year in the conduct of the war. They indeed laid the blame of the miscarriage of the design on the Moselle on the prince of Baden, and the errors committed in Brabant on the States and their deputies: but they said they could not judge of these things, nor be able to lay before the queen those advices that might be fit for them to offer to her, unless they were made acquainted with the whole series of those affairs: therefore they proposed, that by an address they might pray the queen to communicate to them all that she knew concerning those transactions during the last campaign; for they reckoned that, if all particulars should be laid before them, they would find somewhat in the duke of Marlborough's conduct, on which a censure might be fixed. To this it was answered, that if any complaint was brought against any of the queen's subjects, it would be reasonable for them to enquire into it, by all proper ways: but the house of lords could not pretend to examine, or to censure, the conduct of the queen's allies: they were not subject to them, nor could they be heard to justify themselves: and it was somewhat extraordinary, if they should pass a censure, or make a complaint, of them. It was one of the trusts that was lodged with the government, to manage all treaties and alliances; so that our commerce with our allies was wholly in the crown: allies might sometimes fail, being not able to perform what they undertook: they are subject both to errors and to accidents, and are sometimes ill-served: the entering into that matter was not at all proper for the house, unless it was intended to run into rash and indiscreet censures, on design to provoke the allies, and by that means to weaken, if not break, the alliance. The queen would no doubt endeavour to redress whatsoever was amiss, and that must be trusted to her conduct.

So this attempt not only failed, but it happened upon this, as upon other occasions, that it was turned against those who made it. An address was made to the queen, praying her to go on in her alliances, and in particular to cultivate a perfect union and correspondence with the states of the United Provinces. This had a very good effect in Holland, for the agents of France were at the same time both spreading reports among us that the Dutch were inclined to a peace; and among them, that the English had very unkind thoughts of them. The design was to alienate us from one another, that so both might be thereby the better disposed to hearken to a project of peace; which, in the state in which matters were at that time, was the most destructive thing that could be thought on. And all motions that looked that way gave very evident discoveries of the bad intentions of those who made them.

The next business of a public nature that came before the parliament was carried very unanimously. The queen laid before the two houses the addresses of the Scotch parliament against any progress in the treaty of union, till the act, which declared them aliens by such a day, should be repealed. The Tories upon this occasion, to make themselves popular, after they had failed in many attempts, resolved to promote this; apprehending that the Whigs, who had first moved for that act, would be for maintaining their own work: but they seemed to be much surprised, when, after they had prefaced their motions in this matter, with such declarations of their intentions for the public good, that showed they expected opposition and a debate, the Whigs not only agreed to this, but carried the motion further, to the other act relating to their manufacture and trade. This passed very unanimously in both houses; and, by this means, way was made for opening a treaty, as soon as the session should come to an end. All the northern parts of England, which had been disturbed for some years with apprehensions of a war with Scotland, that would certainly be mischievous to them, whatsoever the end of it might prove, were much delighted with the prospect of peace and union with their neighbours.

These were the most important debates during this session ; at all which the queen was present : she stayed all the while, and hearkened to every thing with great attention. The debates were managed on the one side by the lords Godolphin, Wharton, Somers, Halifax, Sunderland, and Townshend\* : on the other side, by the duke of Buckingham and the lords Rochester, Nottingham, Anglesey, Guernsey, and Haversham. There was so much strength and clearness on the one side, and so much heat and artifice on the other, that nothing but obstinate partiality could resist so evident a conviction.

The house of commons went on in creating funds for the supplies they had voted for the next year : and the nation was so well satisfied with the government, and the conduct of affairs, that a fund being created for two millions and a half, by way of annuities for ninety-nine years, at six and a half per cent., at the end of which the capital was to sink ; the whole sum was subscribed in a very few days. At the same time, the duke of Marlborough proposed the advance of a sum of 500,000*l.* to the emperor, for the use of prince Eugene and the service of Italy, upon a branch of the emperor's revenue in Silesia, at eight per cent., and the capital to be repaid in eight years. The nation did so abound, both in money and zeal, that this was likewise advanced in a very few days. Our armies, as well as our allies, were every where punctually paid. The credit of the nation was never raised so high in any age, nor so sacredly maintained. The treasury was as exact and as regular in all payments as any private banker could be. It is true, a great deal of money went out of the kingdom in specie : that which maintained the war in Spain was to be sent thither in that manner, the way by bills of exchange not being yet opened. Our trade with Spain and the West Indies, which formerly brought us great returns of money, was now stopped : by this means there grew to be a sensible want of money over the nation. This was in a great measure supplied by the currency of exchequer bills and bank notes : and this lay so obvious to the disaffected party, that they were often attempting to blast, at least to disparage, this paper credit ; but it was still kept up. It bred a just indignation in all who had a true love to their country, to see some using all possible methods to shake the administration, which, notwithstanding the difficulties at home and abroad, was much the best that had been in the memory of man : and was certainly not only easy to the subjects in general, but gentle even towards those who were endeavouring to undermine it.

The lord Somers made a motion in the house of lords to correct some of the proceedings in the common law and in chancery, that were both dilatory and very chargeable. He began the motion with some instances that were more conspicuous and gross ; and he managed the matter so, that both the lord keeper and judges concurred with him : though it passes generally for a maxim, that judges ought rather to enlarge than contract their jurisdiction. A bill passed the house that began a reformation of proceedings at law, which, as things now stand, are certainly among the greatest grievances of the nation. When this went through the house of commons, it was visible that the interest of under-officers, clerks, and attorneys, whose gains were to be lessened by this bill, was more considered than the interest of the nation itself. Several clauses, how beneficial soever to the subject, which touched on their profit, were left out by the commons. But what fault soever the lords

\* Charles, viscount Townsend, was in early life a tory, but joined the whig party when he observed that it was the staunchest supporter of the protestant interest. Under queen Anne, he was lord-lieutenant of Norfolk, captain of her yeoman guard, &c. At the accession of George the First, he was made principal secretary of state. In 1717, he went as lord-lieutenant to Ireland, and three years after became president of the council. George the Second continued him in the secretary's place. He acted for many years in conjunction with his brother-in-law, Walpole, but they at length quarrelled, and Townsend retired from office. Of this quarrel, a descendant has said, "It is difficult to trace the causes of a dispute between statesmen, but I will give you the history of this in a few words. As long as the firm was Townsend and Walpole, the utmost harmony prevailed ; but it no sooner

became Walpole and Townsend, than things went wrong, and a separation ensued." When lord Townsend was solicited again to return to office, he at once replied, "No—for I may be hurried away by the impetuosity of my temper, and by personal resentment, to adopt a line of conduct, which in my cooler moments I may regret." He retired to his seat, Rainham, in Norfolk, and died there suddenly, aged sixty-four, in 1738. He rang the bell, and upon his servant obeying the summons, his lordship was found without any symptom of life. Slow in decision, and perplexed in uttering his opinion, yet his judgment was sound and his foresight sagacious. In private life, no one was more amiable ; and let it be remembered, to his credit, that he opposed the impeachment of his political rival, the earl of Oxford.—Noble's Contin. Granger ; Coxe's Life, &c. of sir Robert Walpole.

might have found with these alterations, yet, to avoid all disputes with the commons, they agreed to their amendments.

There was another general complaint made of the private acts of parliament, that passed through both houses too easily, and in so great a number, that it took up a great part of the session to examine them, even in that cursory way, that was subject to many inconveniences. The fees that were paid for these to the speakers and clerks of both houses inclined them to favour and promote them : so the lord Somers proposed such a regulation in that matter, as will probably have a good effect for the future. The present lord keeper did indeed very generously obstruct those private bills as much as his predecessor had promoted them. He did another thing of a great example : on the first day of the year it was become a custom, for all those who practised in chancery, to offer a new-year's gift to the lord who had the great seal : these grew to be so considerable, that they amounted to 1500*l.* a-year : on this new-year's day, which was his first, he signified to all who, according to custom, were expected to come with their presents, that he would receive none, but would break that custom. He thought it looked like the insinuating themselves into the favour of the court ; and that if it was not bribery, yet it came too near it, and looked too like it. This contributed not a little to the raising his character. He managed the court of chancery with impartial justice and great dispatch, and was very useful to the house of lords in the promoting of business.

When the session was near an end, great complaints were made in both houses of the progress of popery in Lancashire, and of many insolences committed there, both by the laity and priests of that religion. Upon this, a bill was brought into the house of commons with clauses that would have rendered the bill passed against papists, in the end of the last reign, effectual. This alarmed all of that religion ; so that they made very powerful (or, to follow the raillery of that time, very weighty) intercessions with the considerable men of that house. The court looked on and seemed indifferent in the matter, yet it was given out that so severe a law would be very unreasonable, when we were in alliance with so many princes of that religion, and that it must lessen the force of the queen's intercession in favour of the protestants that lived in the dominions of those princes. The proceeding seemed rigorous, and not suited to the gentleness that the Christian religion did so particularly recommend, and was contrary to the maxims of liberty of conscience and toleration, that were then in great vogue. It was answered that the dependence of those of that religion on a foreign jurisdiction, and at present on a foreign pretender to the crown, put them out of the case of other subjects who might differ from the established religion ; since there seemed to be good reason to consider the papists as enemies, rather than as subjects. But the application was made in so effectual a manner, that the bill was let fall. And though the lords had made some steps towards such a bill, yet, since they saw what fate it was likely to have in the house of commons, instead of proceeding farther in it, they dismissed that matter with an address to the queen, that she would give orders, both to the justices of the peace and to the clergy, that a return might be made to the next session of parliament of all the papists in England.

There was another project set on foot at this time by the lord Halifax, for putting the records and the public offices of the kingdom in better order. He had, in a former session, moved the lords to send some of their number to view the records in the Tower, which were in great disorder, and in a visible decay for want of some more officers, and by the neglect of those we had. These lords, in their report, proposed some regulations for the future, which have been since followed so effectually, though at a considerable charge, by creating several new officers, that the nation will reap the benefit of all this very sensibly. But lord Halifax carried his project much further. The famous library, collected by sir Robert Cotton, and continued down in his family, was the greatest collection of manuscripts relating to the public, that perhaps any nation in Europe could show. The late owner of it, sir John Cotton, had, by his will, left it to the public, but in such words, that it was rather shut up, than made any way useful : and indeed it was to be so carefully preserved, that none could be the better for it : so that lord moved the house to entreat the queen that she would be



pleased to buy Cotton-house, which stood just between the two houses of parliament; so that some part of that ground would furnish them with many useful rooms, and there would be enough left for building a noble structure for a library. To which, besides the Cotton library and the queen's library, the royal society, who had a very good library at Gresham college, would remove and keep their assemblies there, as soon as it was made convenient for them. This was a great design, which the lord Halifax, who set it first on foot, seemed resolved to carry on till it were finished. It will set learning again on foot among us, and be a great honour to the queen's reign\*.

Thus this session of parliament came to a very happy conclusion. There was in it the best harmony within both houses, and between them, as well as with the crown, and it was the best applauded in the city of London, over the whole nation, and indeed over all Europe, of any session that I had ever seen. And when it was considered that this was the first of the three, so that we were to have two other sessions of the same members, it gave an universal satisfaction, both to our own people at home and our allies abroad, and afforded a prospect of a happy end, that should be put to this devouring war, which in all probability must come to a period, before the conclusion of the present parliament. This gave an unspeakable satisfaction to all who loved their country and their religion, who now hoped that we had in view a good and a safe peace.

The convocation sat at the same time: it was chosen as the former had been, and the members that were ill-affected were still prevailed on to come up, and to continue in an expensive but useless attendance in town. The bishops drew up an address to the queen, in which, as the two houses of parliament had done, they expressed a just indignation at the jealousies that had been spread about the nation of the danger of the church. When this was communicated to the lower house, they refused to join in it, but would give no reason for their refusal: they drew an address of their own, in which no notice was taken of these aspersions. The bishops, according to ancient precedents, required them either to agree to their address, or to offer their objections against it. They would do neither, so the address was let fall; and upon that a stop was put to all further communication between the two houses. The lower house, upon this, went on in their former practice of intermediate sessions, in which they began to enter upon business, to approve of some books, and to censure others; and they resolved to proceed upon the same grounds that factious men among them had before set up, though the falsehood of their pretensions had been evidently made to appear. The archbishop had prorogued them to the first of March. When that day came, the lower house was surprised with a protestation that was brought to the upper house by a great part of their body, who, being dissatisfied with the proceedings of the majority, and having long struggled against them, though in vain, at last drew up a protestation against them. They sent it up and down through the whole province, that they might get as many hands to it as they could; but the matter was managed with such caution, that though it was in many hands, yet it was not known to the other side till they heard it was presented to the president of the upper house. In it, all the irregular motions of the lower house were reckoned up, insisting more particularly on that of holding intermediate sessions, against all which they protested, and prayed that their protestation might be entered in the books of the upper house, that so they might not be involved in the guilt of the rest. This was signed by above fifty, and the whole body was but a hundred and forty-five: some were neutral; so that hereby very near one half broke off from the rest and left them, and sat no more with them. The lower house was deliberating how to vent their indignation against these, when a more sensible mortification followed. The archbishop sent for them, and, when they came up, he read a letter to them, that was written to him by the queen, in which she took notice that the differences between the two houses were still kept up; she was much concerned to see that they were rather increased than abated: she was the more surprised at this, because it had been her constant care, as it should continue always to be, to preserve the constitution of the church as it was by law established, and to discountenance all divisions and innovations whatsoever: she was resolved to main-

\* This proposal did not succeed. The Cotton MSS. &c. are in the British Museum; the library of the Royal Society, at Somerset House. The library at the British Museum was opened to the public in 1759.

tain her supremacy, and the due subordination of presbyters to bishops, as fundamental parts of it: she expected that the archbishop and bishops would act conformable to this resolution, and in so doing they should be sure of the continuance of her protection and favour, which should not be wanting to any of the clergy, as long as they were true to the constitution, and dutiful to her and their ecclesiastical superiors, and preserved such a temper as became those who were in holy orders. The archbishop, as he was required to read this to them, so he was directed to prorogue them for such a time as should appear convenient to him. They were struck with this, for it had been carried so secretly that it was a surprise to them all. When they saw they were to be prorogued, they ran very indecently to the door, and with some difficulty were kept in the room till the prorogation was intimated to them. They went next to their own house, where, though prorogued, they sat still in form, as if they had been a house, but they did not venture on passing any vote. So factious were they, and so implicitly led by those who had got an ascendant over them, that though they had formerly submitted the matters in debate to the queen, yet now, when she declared her pleasure, they would not acquiesce in it.

The session of parliament being now at an end, the preparations for the campaign were carried on with all possible dispatch. That which was most pressing was first done. Upon Stanhope's first coming over, in the beginning of January, orders were immediately issued out for sending over five thousand men, with all necessary stores, to Spain. The orders were given in very pressing terms, yet so many offices were concerned in the execution, that many delays were made; some of these were much censured: at last they sailed in March. The fleet that had gone into the Mediterranean with king Charles, and was to return and winter at Lisbon, was detained by westerly winds longer in those seas than had been expected.

The people of Valencia seemed to hope that they were to winter in those seas, and by this they were encouraged to declare for king Charles: but they were much exposed to those who commanded in king Philip's name. All Catalonia had submitted to king Charles except Roses: garrisons were put in Gironne, Lerida, and Tortosa: and the states of that principality prepared themselves with great zeal and resolution for the next campaign, which they had reason to expect would come both early and severely upon them. There was a breach between the earl of Peterborough and the prince of Lichtenstein, whom he charged very heavily, in the king's own presence, with corruption and injustice. The matter went far, and the king blamed the earl of Peterborough, who had not much of a forbearing or forgiving temper in him. There was no method of communication with England yet settled. We did not hear from them, nor they from us, in five months; this put them out of all hope. Our men wanted every thing, and could be supplied there with nothing. The revolt in Valencia made it necessary to send such a supply to them from Barcelona as could be spared from thence. The disgust that was taken made it advisable to send the earl of Peterborough thither, and he willingly undertook the service. He marched towards that kingdom with about fifteen hundred English and a thousand Spaniards: they were all ill equipped and ill furnished, without artillery, and with very little ammunition: but, as they marched, all the country either came in to them or fled before them. He got to Valencia without any opposition, and was received there with all possible demonstrations of joy. This gave a great disturbance to the Spanish councils at Madrid. They advised the king to begin with the reduction of Valencia: it lay nearer, and was easier come at: and by this the disposition to revolt would be checked, which might otherwise go further. But this was overruled from France, where little regard was had to the Spaniards. They resolved to begin with Barcelona: in it king Charles himself lay; and, on taking it, they reckoned all the rest would fall.

The French resolved to send every thing that was necessary for the siege by sea, and the count of Toulouse was ordered to lie with the fleet before the place, whilst it was besieged by land. It was concerted to begin the siege in March, for they knew that if they begun it so early our fleet could not come in time to relieve it. But two great storms, that came soon one after another, did so scatter their tartanes and disable their ships of war, that as some were cast away and others were much shattered so they all lost a month's time, and

the siege could not be formed before the beginning of April. King Charles shut himself up in Barcelona, by which the people were both animated and kept in order. This gave all the allies very sad apprehensions; they feared not only the loss of the place, but of his person. Leak sailed from Lisbon in the end of March. He missed the galleons very narrowly, but he could not pursue them; for he was to lose no time, but haste to Barcelona. His fleet was increased to thirty ships of the line by the time he got to Gibraltar; but, though twenty more were following him, he would not stay, but hastened on to the relief of the place, as fast as the wind served.

At the same time the campaign was opened on the side of Portugal. The earl of Galway had full powers, and a brave army of about twenty thousand men, well furnished in all respects. He left Badajoz behind him, and marched on to Alcantara. The duke of Berwick had a very small force left him to defend that frontier. It seems the French trusted to the interest they had in the court of Portugal. His troops were so bad, that he saw in one small action that he could not depend on them. He put a good garrison in Alcantara, where their best magazine was laid in. But when the earl of Galway came before the town, within three days the garrison, consisting of four thousand men, delivered up the place and themselves as prisoners of war. The Portuguese would have stopped there, and thought they had made a good campaign, though they had done no more; but the English ambassador at Lisbon went to the king of Portugal, and pressed him that orders might be immediately sent to the earl of Galway to march on: and when he saw a great coldness in some of the ministers, he threatened a present rupture if it was not done: and he continued waiting on the king till the orders were signed and sent away. Upon receipt of these, the earl of Galway advanced towards Placentia, all the country declaring for him as soon as he appeared; and the duke of Berwick still retiring before him, not being able to give the least interruption to his march.

The campaign was opened in Italy with great advantage to the French. The duke of Vendome marched into the Brescian to attack the imperialists before prince Eugene could join them, who was now come very near. He fell on a body of about twelve thousand of them, being double their number: he drove them from their posts with the loss of about three thousand men killed and taken; but it was believed there were as many of the French killed as of the imperialists. Prince Eugene came up within two days, and put all in order again. He retired to a surer post, waiting till the troops from Germany should come up. The slowness of the Germans was always fatal in the beginning of the campaign. The duke of Savoy was now reduced to great extremities. He saw the siege of Turin was designed: he fortified so many outposts, and put so good a garrison in it, that he prepared well for a long siege and a great resistance. He wrote to the queen for a further supply of 50,000*l.*, assuring her, that by that means the place should be put in so good a state, that he would undertake that all should be done which could be expected from brave and resolute men; and so careful was the lord treasurer to encourage him, that the courier was sent back the next day after he came, with credit for the money. There was some hopes of a peace, as there was an actual cessation of war in Hungary. The malcontents had been put in hopes of a great diversion of the emperor's forces on the side of Bavaria, where there was a great insurrection, provoked, as was said, by the oppression of the imperial officers, who were so accustomed to be heavy in their quarters, that when they had the pretence that they were among enemies, it may be easily believed there was much just occasion of complaint, and that they were guilty of great exactions and rapine. This looked formidably at first, and seemed to threaten a new war in those parts; but all was soon suppressed. The peasants had no officers among them, no discipline, nor magazines, and no place of strength. So they were quickly dispersed, and stricter orders were given for the better regulating the military men, though it was not expected that these would be long observed.

While matters were in this disposition abroad, the treaty for the union of the two kingdoms was brought on and managed with great solemnity. Commissions were given out for thirty-two persons of each kingdom, to meet at London on the 18th of April. Somerset House was appointed for the place of the treaty. The persons who were named to treat on the English side were well chosen: they were the most capable of managing the treaty, and



the best disposed to it, of any in the kingdom. Those who came from Scotland were not looked on as men so well affected to the design: most of them had stood out in a long and firm opposition to the revolution, and to all that had been done afterwards, pursuant to it. The nomination of these was fixed on by the dukes of Queensbury and Argyle. It was said by them, that though these objections did indeed lie against them, yet they had such an interest in Scotland, that the engaging them to be cordially for the union, would be a great means to get it agreed to in the parliament there. The Scotch had got among them the notion of a federal union, like that of the United Provinces, or of the cantons in Switzerland. But the English resolved to lose no time in the examining, or discussing, of that project, for this reason, besides many others, that as long as the two nations had two different parliaments, they could break that union whensoever they pleased, for each nation would follow their own parliament. The design was now to settle a lasting and indissoluble union between the kingdoms, therefore they resolved to treat only about an incorporating union, that should put an end to all distinctions and unite all their interests. So they at last entered upon the scheme of an entire union\*.

But now to look again into our affairs abroad. The French seemed to have laid the design of their campaign so well, that it had everywhere a formidable appearance; and, if the execution had answered their scheme, it would have proved as glorious, as it was in the conclusion fatal, to them. They reckoned the taking of Barcelona and Turin sure; and by these they thought the war, both in Spain and Italy, would be soon brought to an end. They knew they would be superior to any force that the prince of Baden could bring together on the upper Rhine: and they intended to have a great army in Flanders, where they knew our chief strength would be, to act as occasion or their other affairs should require. But how well soever this design might seem to be laid, it appeared Providence had another, which was brought to bear every where in a most wonderful manner, and in reverse to all their views. The steps of this I intend to set out rather as a meditation on the providence of God, than as a particular history of this signal year, for which I am no way furnished; besides that, if I were, it does not answer my principal design in writing.

The French lay thirty-seven days before Barcelona: of that time, twenty-two were spent in taking Mountjoy. They seemed to think there was no danger of raising the siege, and that therefore they might proceed as slowly as they pleased. The town was under such a consternation, that nothing but the king's presence could have kept them from capitulating the first week of the siege. There were some mutinies raised, and some of the magistrates were killed in them. But the king came among them on all occasions, and both quieted and animated them. Stanhope wrote, after the siege was over (whether as a courtier or not, I cannot tell, for he had now on him the character of the queen's envoy to king Charles), that the king went into all places of danger, and made all about him examples to the rest, to be hard at work and constant upon duty. After Mountjoy was taken, the town was more pressed. The earl of Peterborough came from Valencia, and was upon the hills, but could not give them any great assistance. Some few from Gironne and other places got into the

\* The commissioners, according to other authorities, met at the Cockpit, for the first time, on the 16th of April. On the part of England were the lord chancellor Cowper; lord high treasurer Godolphin; the lord president; duke of Buckinghamshire, lord privy seal; duke of Somerset; duke of Bolton; earl of Sunderland; earl of Kingston; earl of Orford; viscount Townsend; lord Wharrior; lord Grey; lord Powlet; lord Somers; marquis of Hartington; sir Charles Hedges and Mr. Harley, secretaries of state; Mr. Boyle; lord chief justice Holt and Trevor; Mr. Northey, attorney-general; Mr. Simon Harcourt, solicitor-general; sir John Cook, and Dr. Waller.

On the part of Scotland were the earl of Seafield, lord-chancellor, duke of Queensbury; earl of Mar; earl of Loudon; earl of Sutherland; earl of Wemyss; earl of Leven; earl of Stair; earl of Rosebury; lord Archibald Campbell; viscount Duplin; lord Ross, lord president of session; lord Justice Clerk; Mr. Francis Montgomery; sir Alexander Ogilvie; sir Patrick Johnston; sir James

Smollett; George Lockhart, of Carnwath; William Seton, of Pitmedden; John Clark; Daniel Stewart; and Daniel Campbell.

The lord chancellor of England described the feelings that evidently actuated all the commissioners, when he said, they met, having "the general and joint good of both kingdoms solely in view:" and the lord chancellor of Scotland as succinctly described the probable results of the proposed union, by observing, "we are convinced that an union will be of great advantage to both; the protestant religion will be thereby the more firmly secured, the designs of our enemies effectually disappointed, and the riches and trade of the whole island advanced." The queen came twice to their meetings, for the purpose of encouraging and promoting the speedy progress of this great national bond of strength, which was finally effected on the 23rd of July. This will be further noticed in a future page.—Chandler's Debates, H. of Commons, iii. 474; Defoe's Hist. of the Union.

town. The French engineers performed their part with little skill and success ; those they relied most on happened to be killed in the beginning of the siege. The Levant wind was all this while so strong, that it was not possible for Leak to come up so soon as was desired to their relief.

But when their strength, as well as their patience, was almost exhausted the wind turned, and Leak with all haste sailed to them. As soon as the count of Toulouse had intelligence that he was near him, he sailed back to Toulon. Tessé, with king Philip (who was in the camp, but was not once named in any action), continued three days before Barcelona after their fleet sailed away : they could then have no hopes of carrying it, unless a storm at sea had kept our fleet at a distance. At last, on the 1st of May, O. S., the siege was raised, with great precipitation and in much disorder : their camp was left well furnished, and the sick and wounded could not be carried off.

On the day of the raising the siege, as the French army was marching off, the sun was eclipsed, and it was total in those parts. It is certain that there is no weight to be laid on such things ; yet the vulgar being apt to look on them as ominous, it was censured as a great error in Tessé not to have raised the siege a day sooner ; and that the rather because the king of France had made the sun, with a motto of *Nec pluribus Impar*, his device. King Philip made all the haste he could to Perpignan, but his army was almost ruined before he got thither. There was no manner of communication over land between Barcelona and Portugal ; so the Portuguese, doubting the issue of that siege, had no mind to engage further till they saw how it ended ; therefore they ordered their army to march aside to Ciudad Roderigo, on pretence that it was necessary to secure their frontier by taking that place : it was taken after a very short siege, and with small resistance. From thence they advanced to Salamanca. But upon the news of raising the siege of Barcelona, they went on towards Madrid ; the duke of Berwick only observing their motions and still retiring before them. King Philip went, with great expedition and a very small train, from Perpignan to Navarre, from thence he came post to Madrid ; but finding he had no army that he could trust to, the grandees being now retired and looking as so many dead men, and he seeing that the Portuguese were still advancing, sent his queen to Burgos, and followed her in a few days, carrying with him that which was valuable in the palace. And it seems he despaired ever to return thither again, since he destroyed all that could not be carried away ; in which he acted a very extraordinary part, for he did some of this with his own hand : as the gentleman, whom the earl of Galway sent over, told me was universally believed in Madrid.

The capital city being thus forsaken, the earl of Galway came to it by the end of June : he met with no resistance indeed, but with as little welcome. An army of Portuguese, with a heretic at their head, were certainly very strange sights to the Castilians, who retained all the pride, without any of the courage, of their ancestors. They thought it below them to make their submissions to any but to the king himself : and if king Charles had come thither immediately, it was believed that the entire reduction of Spain would have been soon brought about. It is not yet certain what made him stay so long as he did at Barcelona, even from the beginning of May till near the end of July. Those about him pretended it was not fit to go to Madrid, till he was well furnished with money, to make a decent entry. Stanhope offered to furnish him with what was necessary for the journey, but could not afford a magnificent equipage for a solemn entry. King Charles wrote a very pressing letter to the duke of Marlborough, setting forth his necessities, and desiring greater supplies. I saw this letter, for the duke sent it over to the lord treasurer. But little regard was had to it, because it was suggested from many different hands that the prince of Lichtenstein was enriching himself, and keeping his king poor. Others pretended the true cause of the delay was a secret amour of that king's, at Barcelona. Whatsoever the cause of it might be, the effects have hitherto proved fatal. It was first proposed that king Charles should march through Valencia, as the nearest and much the safest way, and he came on that design as far as Tarragona. But advice being brought him there that the kingdom of Arragon was in a good disposition to declare for him, he was diverted from his first intentions, and prevailed on to go to Saragossa, where he was acknowledged by that kingdom. But he lost much time,

and more in the reputation of his arms, by delaying so long to move towards Madrid. So king Philip took heart, and came back from Burgos to Madrid. The earl of Galway was very uneasy at this slow motion which king Charles made. King Philip had some more troops sent him from France, and the broken bodies of his army being now brought together, he had an army equal in numbers to the earl of Galway, and so he marched up to him; but since so much depended on the issue of an action, the earl of Galway avoided it, because he expected every day reinforcements to be brought up to him, both by king Charles and by the earl of Peterborough from Valencia; therefore, to facilitate this conjunction, he moved towards Arragon; so that Madrid was again left to be possessed by king Philip. At last, in the beginning of August, king Charles came up, but with a very inconsiderable force. A few days after, the earl of Peterborough came also with an escort rather than any strength, for he had not with him above five hundred dragoons. He was now uneasy because he could not have the supreme command; both the earl of Galway and count Noyelles being much more ancient officers than he was. But, to deliver him from the uneasiness of being commanded by them, the queen had sent him the powers of an ambassador extraordinary; and he took that character on him for a few days. His complaining so much as he did of the prince of Lichtenstein and the Germans, who were still possessed of king Charles's confidence, made him very unacceptable to that king. So he, waiting for orders from the queen, withdrew from the camp, and sailed away in one of the queen's ships to Genoa. Our fleet lay all the summer in the Mediterranean, which obliged the French to keep theirs within Toulon. Carthage declared for king Charles, and was secured by some of our ships: the fleet came before Alicant; the seamen landed and stormed the town; the castle held out some weeks, but then it capitulated, and the soldiers by articles were obliged to march to Cadiz. Soon after that our fleet sailed out of the straits: one squadron was sent to the West Indies, another was to lie at Lisbon, and the rest were ordered home. After king Charles had joined lord Galway, king Philip's army and his looked on one another for some time, but without venturing on any action. They were near an equality, and both sides expected to be reinforced; so, in that uncertainty, neither side would put anything to hazard.

But now I turn to another and a greater scene. The king of France was assured that the king of Denmark would stand upon some high demands he made to the allies, so that the duke of Marlborough could not have the Danes, who were about ten or twelve thousand, to join him for some time; and that the Prussians, almost as many as the Danes, could not come up to the confederate army for some weeks; so he ordered the elector of Bavaria and Villeroy to march up to them, and to venture on a battle, since, without the Danes, they would have been much superior in number. The States yielded to all Denmark's demands; and the prince of Wirtemberg, who commanded their troops, being very well affected, reckoned that all being granted he needed not stay till he sent to Denmark, nor wait for their express orders, but marched and joined the army the day before the engagement. Some thought that the king of France, upon the news of the disgrace before Barcelona, that he might cover that, resolved to put all to venture, hoping that a victory would have set all to rights: this passed generally in the world. But the duke of Marlborough told me that there being only twelve days between the raising of the siege of Barcelona and this battle, the one being on the first of May, and the other on the twelfth, eight of which must be allowed for the courier to Paris, and from thence to Brabant, it seemed not possible to put things in the order in which he saw them in so short a time. The French left their baggage and heavy cannon at Judoign, and marched up to the duke of Marlborough. He was marching towards them on the same design; for, if they had not offered him battle on the twelfth, he was resolved to have attacked them on the thirteenth of May. They met near a village called Ramillies (not far from the Meuse) from whence the battle takes its name.

The engagement was an entire one, and the action was hot for two hours: both the French mousquetaires and the cuirassiers were there. The elector of Bavaria said it was the best army he ever beheld. But, after two hours, the French gave way every where; so it ended in an entire defeat. They lost both their camp, baggage, and artillery, as well as all that



they had left in Judoign, and in all possible confusion they passed the Dyle, our men pursuing till it was dark. The duke of Marlborough said to me, the French army looked the best of any he had ever seen; but that their officers did not do their part, nor show the courage that had appeared among them on other occasions. And when I asked him the difference between the actions at Hockstedt and at Ramillies; he said, the first battle lasted between seven and eight hours, and we lost above twelve thousand men in it; whereas the second lasted not above two hours, and we lost not above two thousand five hundred men. Orders were presently sent to the great cities, to draw the garrisons out of them, that so the French might have again the face of an army; for their killed, their deserters, and their prisoners, on this great day, were above twenty thousand men. The duke of Marlborough lost no time, but followed them close: Louvain, Mechlin, and Brussels submitted, besides many lesser places: Antwerp made a show of standing out, but soon followed the example of the rest: Ghent and Bruges did the same: in all these king Charles was proclaimed. Upon this unexpected rapidity of success, the duke of Marlborough went to the Hague, to concert measures with the States, where he stayed but a few days; for they agreed to every thing he proposed, and sent him back with full powers. The first thing he undertook was the siege of Ostend, a place famous for its long siege in the last age. The natives of the place were disposed to return to the Austrian family, and the French that were in it had so lost all heart and spirit, that they made not the resistance that was looked for. In ten days after they sat down before it, and within four days after the batteries were finished, they capitulated. From thence the confederates went to Menin, which was esteemed the best finished fortification in all those parts: it was built after the peace of Nimeguen; nothing that art could contrive was wanting to render it impregnable; and it was defended by a garrison of six thousand men, so that many thought it was too bold an undertaking to sit down before it. The French army was become considerable by great detachments brought from the Upper Rhine, where mareschal Villars was so far superior to the Germans, that, if it had not been for this revulsion of his forces, the circles of Suabia and Franconia would have been much exposed to pillage and contribution.

The duke of Vendome's conduct in Italy had so raised his character, that he was thought the only man fit to be at the head of the army in Flanders; so he was sent for, and had that command given him, with a very high compliment, which was very injurious to the other officers, since he was declared to be the single man on whom France could depend, and by whom it could be protected, in that extremity. The duke of Orleans was sent to command in Italy, and mareschal Marsin was sent with him to assist, or rather in reality to govern him. And so obstinately was the king of France set on pursuing his first designs, that notwithstanding his disgraces both in Spain and in the Netherlands, yet (since he had ordered all the preparations for the siege of Turin) he would not desist from that attempt, but ordered it to be pursued with all possible vigour. The siege of Menin was in the meanwhile carried on so successfully, that the trenches were opened on the 24th of July, and the batteries were finished on the 29th; and they pressed the place so warmly, that they capitulated on the 11th of August, and marched out on the 14th, being St. Lewis's day: four thousand men marched out of the place.

It seemed strange that a garrison, which was still so numerous, should give up, in so short a time, a place that was both so strong and so well furnished. But as the French were much sunk, so the allies were now become very expert at carrying on of sieges, and spared no cost that was necessary for dispatch. Dendermonde had been for some weeks under a blockade: this, the duke of Marlborough ordered to be turned into a formal siege. The place was so surrounded with water, that the king of France, having once begun a siege there, was forced to raise it; yet it was now so pressed, that the garrison offered to capitulate, but the duke of Marlborough would give them no other terms but those of being prisoners of war, to which they were forced to submit. Ath was next invested; it lay so inconveniently between Flanders and Brabant, that it was necessary to clear that communication, and to deliver Brussels from the danger of that neighbourhood. In a fortnight's time, it was also obliged to capitulate, and the garrison were made prisoners of war.

During those sieges, the duke of Vendome, having fixed himself in a camp that could not

be forced, did not think fit to give the duke of Marlborough any disturbance, while he lay with his army covering the sieges. The French were jealous of the elector of Bavaria's heat, and though he desired to command an army apart, yet it was not thought fit to divide the forces, though now grown to be very numerous. Deserters said the panic was still so great in the army, that there was no appearance of their venturing on any action. Paris itself was under a high consternation, and though the king carried his misfortunes with an appearance of calmness and composure, yet he was often let blood, which was thought an indication of a great commotion within, and this was no doubt the greater, because it was so much disguised. No news was talked of at that court, all was silent and solemn; so that even the duchess dowager of Orleans knew not the true state of their affairs, which made her write to her aunt, the electress of Hanover, to learn news of her.

There was another alarm given them, which heightened the disorder they were in. The queen and the States formed a design of a descent in France, with an army of about ten thousand foot and one thousand two hundred horse. The earl of Rivers commanded the land army, as Shovel did a royal fleet that was to convoy them, and to secure their landing: it was to be near Bordeaux; but the secret was then so well kept, that the French could not penetrate into it: so the alarm was general. It put all the maritime counties of France to a vast charge, and under dismal apprehensions. Officers were sent from the court to exercise them; but they saw what their militia was, and that was all their defence. I have one of the manifestos that the earl of Rivers was ordered to publish upon his landing: he declared by it, that he was come neither to pillage the country, nor to conquer any part of it; he came only to restore the people to their liberties, and to have assemblies of the states, as they had anciently, and to restore the edicts to the protestants; he promised protection to all that should come in to him. The troops were all put aboard at Portsmouth, in the beginning of July, but they were kept in our ports by contrary winds, till the beginning of October. The design on France was then laid aside; it was too late in the year for the fleet to sail into the bay of Biscay, and to lie there for any considerable time in that season. The reduction of Spain was of the greatest importance to us; so new orders were sent them to sail first to Lisbon, and there to take such measures, as the state of the affairs of Spain should require.

The siege of Turin was begun in May, and was continued till the beginning of September. There was a strong garrison within it, and it was well furnished both with provisions and ammunition. The duke of Savoy put all to the hazard: he sent his duchess with his children to Genoa, and himself, with a body of three thousand horse, was moving about Turin, from valley to valley, till that body was much diminished; for he was, as it were, hunted from place to place, by the duke of Feuillade, who commanded in the siege, and drove the duke of Savoy before him; so that all hope of relief lay in prince Eugene. The garrison made a noble resistance, and maintained their outworks long: they blew up many mines, and disputed every inch of ground with great resolution: they lost about six thousand men, who were either killed or had deserted during the siege; and their powder was at last so spent, that they must have capitulated within a day or two, if they had not been relieved. The siege cost the French very dear: they were often forced to change their attacks, and lost about fourteen thousand men before the place; for they were frequently beat from the posts that they had gained.

Prince Eugene made all the haste he could to their relief. The court of Vienna had not given due orders, as they had undertaken, for the provision of the troops that were to march through their country to join him. This occasioned many complaints and some delay. The truth was, that court was so much set on the reduction of Hungary, that all other things were much neglected, while that alone seemed to possess them. A treaty was set on foot with the malcontents there, by the mediation of England and of the States; a cessation of arms was agreed to for two months; all that belonged to that court were very uneasy while that continued; they had shared among them the confiscations of all the great estates in Hungary, and they saw that, if a peace was made, all these would be vacated, and the estates would be restored to their former owners; so they took all possible means to traverse the negotiation, and to enflame the emperor. There seemed to be some probability of

bringing things to a settlement, but that could not be brought to any conclusion during the term of the cessation; when that was lapsed, the emperor could not be prevailed on to renew it: he recalled his troops from the Upper Rhine, though that was contrary to all his agreements with the empire. Notwithstanding all this ill management of the court of Vienna, prince Eugene got together the greatest part of those troops that he expected in the Veronese before the end of June: they were not yet all come up, but he, believing himself strong enough, resolved to advance; and he left the prince of Hesse with a body to receive the rest, and by them to force a diversion, while he should be going on. The duke of Vendome had taken care of all the fords of the Adige, the Mincio, and the Oglio, and had cast up such lines and entrenchments every where, that he had assured the court of France it was not possible for prince Eugene to break through all that opposition, at least to do it in any time to relieve Turin. By this time the duke of Orleans was come to take the army out of Vendome's hands; but before that duke had left it, they saw that he had reckoned wrong in all those hopes he had given the court of France, of stopping prince Eugene's march. For, in the beginning of July, he sent a few battalions over one of the fords of the Adige, where the French were well posted, and double their number; yet they ran away with such precipitation, that they left every thing behind them. Upon that, prince Eugene passed the Adige with his whole army, and the French, in a consternation, retired behind the Mincio. After this, prince Eugene surprised the French with a motion that they had not looked for, nor prepared against, for he passed the Po: the duke of Orleans followed him, but declined an engagement; whereupon prince Eugene wrote to the duke of Marlborough, that he felt the effects of the battle of Ramillies, even in Italy, the French seeming to be every where dispirited with their misfortunes. Prince Eugene, marching nearer the Apennines, had gained some days' march of the duke of Orleans; upon which, that duke repassed the Po, and advanced with such haste towards Turin, that he took no care of the pass at Stradella, which might have been kept and disputed for some days. Prince Eugene found no opposition there; nor did he meet with any other difficulty, but from the length of the march and the heat of the season, for he was in motion all the months of July and August.

In the beginning of September the duke of Savoy joined him with the small remnants of his army, and they hasted on to Turin. The duke of Orleans had got thither before them, and the place was now reduced to the last extremities. The duke of Orleans, with most of the chief officers, were for marching out of the trenches; Marsin was of another mind, and when he found it hard to maintain his opinion, he produced positive orders for it, which put an end to the debate. The duke of Savoy saw the necessity of attacking them in their trenches: his army consisted of twenty-eight thousand men, but they were good troops; the French were above forty thousand, and in a well fortified camp: yet after two hours' resistance, the duke of Savoy broke through, and then there was a great destruction, the French flying in much disorder, and leaving a vast treasure in their camp, besides great stores of provisions, ammunition, and artillery. It was so entire a defeat, that not above one thousand six hundred men of that great army got off in a body, and they made all the haste they could into Dauphiny. The duke of Savoy went into Turin, where it may be easily imagined he was received with much joy: the garrison, for want of powder, was not in a condition to make a sally on the French, while he attacked them; the French were pursued as far as men wearied with such an action could follow them, and many prisoners were taken. The duke of Orleans, though he lost the day, yet gave great demonstrations of courage, and received several wounds. Mareschal Marsin fell into the enemy's hands, but died of his wounds in a few hours; and upon him all the errors of this dismal day were cast, though the heaviest part of the load fell on Chamillard, who was then in the supreme degree of favour at court, and was entirely possessed of madam Maintenon's confidence. Feuillade had married his daughter, and, in order to the advancing him, he had the command of this siege given him, which was thus obstinately pursued till it ended in this fatal manner. The obstinacy continued, for the king sent orders, for a month together, to the duke of Orleans, to march back into Piedmont, when it was absolutely impossible; yet repeated orders were sent, and the reason of this was understood afterwards. Madam Maintenon (it seems) took that care of the king's health and humour, that she did not suffer the ill state of his affairs to



be fully told him : he all that while was made believe, that the siege was only raised upon the advance of prince Eugene's army, and knew not that his own was defeated and ruined. I am not enough versed in military affairs to offer any judgment upon that point, whether they did well, or ill, not to go out of their camp to fight ; it is certain, that the fight was more disorderly, and the loss was much greater, by reason of their lying within their lines · in this I have known men of the trade of different opinions.

While this was done at Turin, the prince of Hesse advanced to the Mincio, which the French abandoned ; but as he went to take Castiglione, Medavi, the French general, surprised him, and cut off about two thousand of his men, upon which he was forced to retire to the Adige. The French magnified this excessively, hoping, with the noise they made about it, to balance their real loss at Turin. The prince of Vaudemont, upon the news from Turin, left the city of Milan, and retired with the small force he had to Cremona. The duke of Savoy and prince Eugene marched with all haste into the Milanese. The city of Milan was opened to them ; but the citadel and some strong places that had garrisons in them stood out some time ; yet place after place capitulated, so that it was visible all would quickly fall into their hands.

Such a succession of eminent misfortunes in one campaign, and in so many different places, was without example. It made all people conclude that the time was come, in which the perfidy, the tyranny, and the cruelty, of that king's long and bloody reign, was now to be repaid him with the same severe measure with which he had formerly treated others. But the secrets of God are not to be too boldly pried into, till he is pleased to display them to us more openly. It is certainly a year that deserves to be long and much remembered.

In the end of the campaign, in which Poland had been harassed with the continuance of the war, but without any great action, the king of Sweden, seeing that king Augustus supported his affairs in Poland by the supplies, both of men and money, that he drew from his electorate, resolved to stop that resource : so he marched through Silesia and Lusatia into Saxony. He quickly made himself master of an open country, that was looking for no such invasion, and was in no sort prepared for it, and had few strong places in it capable of any resistance. The rich town of Leipsic and all the rest of the country was, without any opposition, put under contribution. All the empire was alarmed at this : it was at first apprehended that it was set on by the French councils, to raise a new war in Germany, and to put the North all in a flame. The king of Sweden gave it out that he had no design to give any disturbance to the empire ; that he intended by this march, only to bring the war of Poland to a speedy conclusion : and it was reasonable to believe that such an unlooked for incident would soon bring that war to a crisis.

This was the state of our affairs abroad in this glorious and ever-memorable year. At home, another matter of great consequence was put in a good and promising method : the commissioners of both kingdoms sat close in a treaty till about the middle of July ; in conclusion, they prepared a complete scheme of an entire union of both nations ; some particulars being only referred, to be settled by their parliaments respectively. When every thing was agreed to, they presented one copy of the treaty to the queen, and each side had a copy, to be presented to their respective parliament, all the three copies being signed by the commissioners of both kingdoms\*. It was resolved to lay the matter first before the parliament of Scotland, because it was apprehended that it would meet with the greatest opposition there.

The union of the two kingdoms was a work of which many had quite despaired, in which number I was one ; and those who entertained better hopes, thought it must have run out into a long negotiation for several years : but beyond all men's expectation it was begun and finished within the compass of one. The commissioners brought up from Scotland, for the treaty, were so strangely chosen (the far greater number having continued in an opposition to the government ever since the revolution), that from thence many concluded that it was not sincerely designed by the ministry, when they saw such a nomination. This was a piece of the earl of Stair's cunning, who did heartily promote the design : he then thought that if

\* See the speeches of the two lord chancellors and of the queen, on this occasion, in Chandler's Debates, iil. 477.

such a number of those who were looked on as jacobites, and were popular men on that account among the disaffected there, could be so wrought on, as to be engaged in the affair, the work would be much the easier when laid before the parliament of Scotland: and in this the event showed that he took right measures. The lord Somers had the chief hand in projecting the scheme of the union, into which all the commissioners of the English nation went very easily. The advantages that were offered to Scotland in the whole frame of it were so great and so visible, that nothing but the consideration of the safety, that was to be procured by it to England, could have brought the English to agree to a project, that, in every branch of it, was much more favourable to the Scotch nation\*.

They were to bear less than the fortieth part of the public taxes; when four shillings in the pound was levied in England, which amounted to two millions, Scotland was only to be taxed at 48,000 pounds, which was eight months' assessment; they had been accustomed for some years to pay this, and they said it was all that the nation could bear. It is held a maxim, that in the framing of a government, a proportion ought to be observed between the share in the legislature and the burden to be borne; yet in return of the fortieth part of the burden, they offered the Scotch nearly the eleventh part of the legislature; for the peers of Scotland were to be represented by sixteen peers in the house of lords, and the commons by forty-five members in the house of commons; and these were to be chosen according to the methods, to be settled in the parliament of Scotland. And since Scotland was to pay customs and excises, on the same footing with England, and was to bear a share in paying much of the debt England had contracted during the war, 398,000 pounds was to be raised in England, and sent into Scotland, as an equivalent for that; and that was to be applied to the recoinage the money, that all might be of one denomination and standard, and to paying the public debts of Scotland, and repaying, to their African company, all their losses with interest; upon which that company was to be dissolved, and the overplus of the equivalent was to be applied to the encouragement of manufactures. Trade was to be free all over the island, and to the plantations; private rights were to be preserved, and the judicatories and laws of Scotland were still to be continued: but all was put, for the future, under the regulation of the parliament of Great Britain; the two nations now were to be one kingdom, under the same succession to the crown, and united in one parliament. There was no provision made in this treaty, with relation to religion; for in the acts of parliament, in both kingdoms, that empowered the queen to name commissioners, there was an express limitation that they should not treat of those matters.

This was the substance of the articles of the treaty, which being laid before the parliament of Scotland, met with great opposition there. It was visible that the nobility of that kingdom suffered a great diminution by it; for though it was agreed that they should enjoy all the other privileges of the peers of England, yet the greatest of them all, which was the voting in the house of lords, was restrained to sixteen, to be elected by the rest at every new parliament; yet there was a greater majority of the nobility that concurred in voting for the union, than in the other states of that kingdom. The commissioners from the shires and boroughs were almost equally divided, though it was evident they were to be the chief gainers by it; among these the union was agreed to by a very small majority: it was the nobility that in every vote turned the scale for the union: they were severely reflected on by those who opposed it; it was said many of them were bought off, to sell their country and their birth-right: all those who adhered inflexibly to the jacobite interest, opposed every step that was made with great vehemence; for they saw that the union struck at the root of all their views and designs, for a new revolution. Yet these could not have raised or maintained so great an opposition as was now made, if the presbyterians had not been possessed with a jealousy, that the consequence of this union would be, the change of church-government among them, and that they would be swallowed up by the church of England. This took such root in many that no assurances that were offered could remove their fears: it was infused in them chiefly by the old duchess of Hamilton, who had great credit with them; and it was suggested, that she, and her son, had particular views, as hoping, that if

\* For the Scotch jacobinical narrative of the Union, see Lockhart's "Memoirs" and Swift's "Public spirit of the Whigs;" "The Examiner" may also be consulted.

Scotland should continue a separated kingdom, the crown might come into their family, they being the next in blood, after king James's posterity. The infusion of such apprehensions had a great effect on the main body of that party, who could scarcely be brought to hearken, but never to accept of the offers, that were made for securing their presbyterian government. A great part of the gentry of that kingdom, who had been often in England, and had observed the protection, that all men had from a house of commons, and the security that it procured against partial judges, and a violent ministry, entered into the design with great zeal. The opening a free trade, not only with England, but with the plantations, and the protection of the fleet of England, drew in those who understood these matters, and saw there was no other way in view to make the nation rich and considerable. Those who had engaged far into the design of Darien, and were great losers by it, saw now an honourable way to be reimbursed, which made them wish well to the union, and promote it: but that which advanced the design most effectually, and without which it could not have succeeded, was, that a considerable number of noblemen and gentlemen who were in no engagements with the court (on the contrary, they had been disobliged, and turned out of great posts, and some very lately) declared for it. These kept themselves very close and united, and seemed to have no other interest but that of their country, and were for that reason called the *squadrone*\*: the chief of these were, the marquis of Tweeddale, the earls of Rothes, Roxburgh, Haddington, and Marchmont; they were in great credit, because they had no visible bias on their minds; ill usage had provoked them rather to oppose the ministry than to concur in any thing, where the chief honour would be carried away by others. When they were spoken to by the ministry, they answered coldly, and with great reserves, so it was expected they would have concurred in the opposition; and they being between twenty and thirty in number, if they had set themselves against the union, the design must have miscarried: but they continued still silent, till the first division of the house obliged them to declare, and then they not only joined in it, but promoted it effectually, and with zeal: there were great and long debates, managed on the side of the union, by the earls of Seafield and Stair for the ministry, and of the *squadrone* by the earls of Roxburgh and Marchmont; and against it by the dukes of Hamilton and Athol, and the marquis of Annandale. The duke of Athol was believed to be in a foreign correspondence, and was much set on violent methods: duke Hamilton managed the debate with great vehemence, but was against all desperate motions: he had much to lose, and was resolved not to venture all with those who suggested the necessity of running, in the old Scotch way, to extremities. The topics, from which the arguments against the union, were drawn, were the antiquity and dignity of their kingdom, which was offered to be given up, and sold: they were departing from an independent state, and going to sink into a dependence on England; what conditions soever might be now speciously offered, as a security to them, they could not expect that they should be adhered to, or religiously maintained in a parliament, where sixteen peers and forty-five commonsers could not hold the balance against above an hundred peers and five hundred and thirteen commonsers. Scotland would be no more considered as formerly by foreign princes and states: their peers would be precarious and elective: they magnified their crown with the other regalia so much, that since the nation seemed resolved never to suffer them to be carried away, it was provided, in a new clause added to the articles, that these should still remain within the kingdom. They insisted most vehemently on the danger that the constitution of their church must be in, when all should be under the power of a British parliament: this was pressed with fury by some who were known to be the most violent enemies to presbytery, of any in that nation; but it was done on design, to inflame that body of men by those apprehensions, and so to engage them to persist in their opposition. To allay that heat, after the general vote was carried for the union, before they entered on the consideration of the particular articles, an act was prepared for securing the presbyterian government; by which it was declared to be the only government of that church, unalterable in all succeeding times, and the maintaining it was declared to be a fundamental and essential article and condition of the union: and this act was to be made a part of the act for the union,

\* Campbell, in his "Lives of the Admirals," says, "If I might be allowed to translate this word into political English, I should call them *old whigs*."



which in the consequence of that, was to be ratified by another act of parliament in England. Thus those who were the greatest enemies to presbytery, of any in the nation, raised the clamour of the danger that form of government would be in, if the union went on, to such a height, that by their means this act was carried, as far as any human law could go, for their security: for by this they had not only all the security that their own parliament could give them, but they were to have the faith and authority of the parliament of England, it being in the stipulation made an essential condition of the union: the carrying this matter so far, was done in hopes that the parliament of England would never be brought to pass it. This act was passed, and it gave an entire satisfaction to those who were disposed to receive any, but nothing could satisfy men who made use of this, only to inflame others. Those who opposed the union, finding the majority was against them, studied to raise a storm without doors, to frighten them: a set of addresses against the union were sent round all the countries in which those who opposed it had any interest: there came up many of these in the name of counties and boroughs, and at last from parishes; this made some noise abroad, but was very little considered there, when it was known by whose arts and practices they were procured. When this appeared to have little effect, pains were taken to animate the rabble to violent attempts, both at Edinburgh and at Glasgow. Sir Patrick Johnston, lord provost of Edinburgh, had been one of the commissioners, and had concurred heartily in the design: a great multitude gathered about his house, and were forcing the doors on design, as was believed, to murder him; but guards came and dispersed them. Upon this attempt, the privy-council set out a proclamation against all such riots, and gave orders for quartering the guards within the town; but to show that this was not intended to overawe the parliament, the whole matter was laid before them, and the proceedings of the privy council were approved. No other violent attempt was made after this, but the body of the people showed so much sullenness, that probably, had any person of authority once kindled the fire, they seemed to be of such combustible matter, that the union might have cast that nation into great convulsions. These things made great impressions on the duke of Queensbury, and on some about him; he despaired of succeeding, and he apprehended his person might be in danger: one about him wrote to my lord treasurer, representing the ill temper the nation was generally in, and moved for an adjournment, that so with the help of some time and good management, those difficulties, which seemed then insuperable, might be conquered. The lord treasurer told me, his answer was, that a delay was, upon the matter, laying the whole design aside; orders were given, both in England and Ireland, to have troops ready upon call; and if it was necessary, more forces should be ordered from Flanders: the French were in no condition to send any assistance to those who might break out, so that the circumstances of the time were favourable; he desired therefore that they would go on, and not be alarmed at the foolish behaviour of some, who, whatever might be given out in their names, he believed had more wit than to ruin themselves. Every step that was made, and every vote that was carried, was with the same strength, and met with the same opposition: both parties giving strict attendance during the whole session, which lasted for three months. Many protestations were printed, with every man's vote: in conclusion, the whole articles of the treaty were agreed to, with some small variations. The earl of Stair, having maintained the debate on the last day, in which all was concluded, died the next night suddenly, his spirits being quite exhausted by the length and vehemence of the debate\*. The act passed, and was sent up to London in the beginning of February.

The queen laid it before the two houses; the house of commons agreed to it all without any opposition, so soon, that it was thought they interposed not delay and consideration enough, suitable to the importance of so great a transaction. The debates were longer and more solemn in the house of lords; the archbishop of Canterbury moved, that a bill might be brought in, for securing the church of England; by it all acts, passed in favour of our church, were declared to be in full force for ever; and this was made a fundamental and essential part of the union. Some exceptions were taken to the words of the bill, as not so

\* John Dalrymple was raised to his earldom by queen Anne, in 1703, being at the same time sworn one of her privy council. He had previously filled the offices in Scotland of lord justice clerk, lord advocate, and secretary of state.

strong as the act passed in Scotland seemed to be, since the government of it was not declared to be unalterable ; but they were judged more proper, since where a supreme legislature is once acknowledged, nothing can be unalterable. After this was over, the lords entered upon the consideration of the articles, as they were amended in Scotland ; it was pretended that here a new constitution was made, the consequence of which, they said, was the altering all the laws of England. All the judges were of opinion, that there was no weight in this ; great exceptions were taken to the small proportion Scotland was rated at, in the laying on of taxes ; and their election of peers to every new parliament, was said to be contrary to the nature of peerage. To all the objections that were offered, this general answer was made, that so great a thing as the uniting the whole island into one government, could not be compassed, but with some inconveniences ; but if the advantage of safety and union was greater than those inconveniences, then a lesser evil must be submitted to. An elective peer was indeed a great prejudice to the peers of Scotland, but since they had submitted to it, there was no just occasion given to the peers of England to complain of it. But the debate held longest upon the matters relating to the government of the church ; it was said, here was a real danger the church ran into, when so many votes, of persons tied to presbytery, were admitted to a share in the legislature. All the rigour with which the episcopal clergy had been treated in Scotland, was set forth, to shew with how implacable a temper they were set against the church of England ; yet, in return to all that, it was now demanded from the men of this church to enact, that the Scotch form should continue unalterable, and to admit those to vote among us who were such declared enemies to our constitution. Here was a plausible subject for popular eloquence, and a great deal of it was brought out upon this occasion by Hooper, Beveridge, and some other bishops, and by the earls of Rochester and Nottingham. But to all this it was answered, that the chief dangers the church was in were from France and from popery ; so that whatsoever secured us from these, delivered us from our justest fears. Scotland lay on the weakest side of England, where it could not be defended but by an army ; the collieries on the Tyne lay exposed for several miles, and could not be preserved but at a great charge, and with a great force : if a war should fall out between the two nations, and if Scotland should be conquered, yet, even in that case, it must be united to England, or kept under by an army : the danger of keeping up a standing force, in the hands of any prince, and to be modelled by him (who might engage the Scotch to join with that army and turn upon England) was visible : and any union, after such a conquest, would look like a force, and so could not be lasting ; whereas all was now voluntary. As for church matters, there had been such violence used by all sides in their turns, that none of them could reproach the others much, without having it returned upon them too justly. A softer management would lay those heats, and bring men to a better temper : the cantons of Switzerland, though very zealous in their different religions, yet were united in one general body ; the diet of Germany was composed of men of three different religions ; so that several constitutions of churches might be put under one legislature ; and if there was a danger of either side, it was much more likely that five hundred and thirteen would be too hard for forty-five, than that forty-five would master five hundred and thirteen ; especially when the crown was on their side ; and there were twenty-six bishops in the house of lords to outweigh the sixteen votes from Scotland. It was indeed said, that all in England were not zealous for the church ; to which it was answered, that by the same reason it might be concluded, that all those of Scotland were not zealous for their way, especially when the favour of the court lay in the English scale. The matter was argued, for the union, by the bishops of Oxford, Norwich, and myself, by the lord treasurer, the earls of Sunderland and Wharton, and the lords Townshend and Halifax ; but above all, by the lord Somers. Every division of the house was made with so great an inequality, that they were but twenty, against fifty that were for the union. When all was agreed to, in both houses, a bill was ordered to be brought in to enact it ; which was prepared by Harcourt with so particular a contrivance, that it cut off all debates \*. The preamble was a recital of the articles, as they were passed in Scotland,

\* Simon Harcourt, son of sir Simon Harcourt, the first college, Oxford, and the Inner Temple. From 1690 to sacrifice in Ireland for Charles the First, was of Pembroke the accession of queen Anne, he was a member of parlia-

together with the acts made in both parliaments for the security of their several churches ; and in conclusion, there came one enacting clause, ratifying all. This put those upon great difficulties, who had resolved to object to several articles, and to insist on demanding some alterations in them ; for they could not come at any debate about them ; they could not object to the recital, it being merely matter of fact ; and they had not strength enough to oppose the general enacting clause, nor was it easy to come at particulars and to offer provisos relating to them. The matter was carried on with such zeal, that it passed through the house of commons before those, who intended to oppose it, had recovered themselves out of the surprise under which the form it was drawn in had put them. It did not stick long in the house of lords, for all the articles had been copiously debated there for several days, before the bill was sent up to them : and thus this great design, so long wished and laboured for in vain, was begun, and happily ended, within the compass of nine months. The union was to commence on the first of May, and until that time, the two kingdoms were still distinct, and their two parliaments continued still to sit \*.

In Scotland, they proceeded to dispose of the sum provided to be the equivalent ; in this great partialities appeared, which were much complained of ; but there was not strength to oppose them. The ministry, and those who depended on them, moved for very extravagant allowances to those who had been employed in this last, and in the former treaty ; and they made large allotments of some public debts, that were complained of as unreasonable and unjust ; by which a great part of the sum was diverted from answering the end for which it was given. This was much opposed by the squadrone ; but as the ministers promoted it, and those who were to get by it, made all the interest they could to obtain it (some few of them only excepted, who, as became generous patriots, showed more regard to the public than to their private ends) so those who had opposed the union were not ill pleased to see this sum so misapplied ; hoping by that means, that the aversion, which they endeavoured to infuse into the nation against the union, would be much increased ; therefore they let every thing go as the ministers proposed, to the great grief of those who wished well to the public. It was resolved that the parliament of England should sit out its period, which, by the law for triennial parliaments, ran yet a year further ; it was thought necessary to have another session continued of the same men who had made this union, since they would more readily consolidate and strengthen their own work. Upon this ground, it seemed most proper that the members to represent parliament should be named by the parliament there : those who had opposed the union carried their aversion to the squadrone so far, that they concurred with the ministry in a nomination, in which very few of them were included, not above three of the peers, and fifteen commoners ; so that great and just exceptions lay against many who were nominated to represent that kingdom : all this was very acceptable to those who had opposed the union. The customs of Scotland were then in a farm, and the farmers were the creatures of the ministry, some of whom, as was believed, were sharers with them : it was visible, that since there was to be a free trade opened between Scotland and England, after the first of May, and since the duties in Scotland, laid on trade, were much lower than in England, that there would be a great importation into Scotland, on the prospect of the advantage that might be made by sending it into England. Upon such an emergency, it was reasonable to break the farm, as had been ordinarily done upon less reason, and to take the customs into a new management, that so the gain to be made in the interval might go to the public, and not be left in private hands : but the lease

ment for Abingdon, of which town he was also the recorder. Her majesty knighted him, and made him her solicitor-general in 1702, and five years after promoted him to the attorney-generalship. This office he resigned in a few months by a voluntary surrender enrolled in court ; an unprecedented act, that has not been imitated. The queen recalled him to her service, made him again attorney-general, raised him to the peerage as baron of Stanton Harcourt, and made him lord chancellor in 1712, as will be noticed in another page. George the First continued to show towards him the royal patronage. No act of his lordship's life forbids his being considered as one of the

most eminent men who have filled the highest legal stations in this country. He died in 1727, aged sixty-seven. —Noble's Contin. of Grainger ; Hist. of the Harcourt Family.

\* The articles of the union, twenty-five in number, may be seen in Chandler's Debates, house of commons, iv. 16. They passed this house finally by the votes of two hundred and seventy-four, opposed by one hundred and sixteen ; in that of the peers by fifty-five, against twenty-nine ; and on the 16th of March, the queen gave to it the royal assent.



was continued in favour of the farmers. They were men of no interest of their own, so it was not doubted but that there was a secret practice in the case. Upon the view of the gain, to be made by such an importation, it was understood that orders were sent to Holland, and other places, to buy up wine, brandy, and other merchandize. And another notorious fraud was designed by some in England, who, because of the great draw-back, that was allowed for tobacco and other plantation commodities, when exported, were sending great quantities to Scotland, on design to bring them back after the first of May, that so they might sell them free of that duty; so a bill was offered to the house of commons for preventing this. While this was going on, Harley proposed the joining another clause, to this effect: that all goods that were carried to Scotland after the first of February (unless it were by the natural-born subjects of that kingdom, inhabiting in it) in case they were imported into England after the first of May, should be liable to the English duties; and of this the proof was to lie on the importer. This angered all the Scotch, who raised a high clamour upon it, and said the union was broken by it; and that such a proceeding would have very ill effects in Scotland. But the house of commons were so alarmed with the news of a vast importation, which was aggravated far beyond the truth, and by which they concluded the trade of England would greatly suffer, at least for a year or two, that they passed the bill, and sent it to the lords, where it was rejected; for it appeared plainly to them, that this was an infraction of some of the articles of the treaty. It was suggested, that a recess for some days was necessary, that so the commons might have an opportunity to prepare a bill, prohibiting all goods from being brought to England that had been sent out, only in order that the merchants might have the draw-back allowed. With this view the parliament was prorogued for a few days; but at their next meeting, the commons were more inflamed than before; so they prepared a new bill, to the same effect, only in some clauses it was more severe than the former had been; but the lords did not agree to it, and so it fell.

Thus far I have carried on the recital of this great transaction, rather in such a general view, as may transmit it right to posterity, than in so copious a narration, as an affair of such consequence might seem to deserve; it is very probable that a particular journal of the debates in the parliament of Scotland, which were long and fierce, may at some time or other be made public; but I hope this may suffice for a history. I cannot, upon such a signal occasion, restrain myself from making some reflections on the directions of Providence in this matter. It is certain the design on Darien, the great charge it put the nation to, and the total miscarriage of that project, made the trading part of that kingdom see the impossibility of undertaking any great design in trade; and that made them the more readily concur in carrying on the union. The wiser men of that nation had observed long, that Scotland lay at the mercy of the ministry, and that every new set of ministers made use of their power to enrich themselves and their creatures at the cost of the public; that the judges, being made by them, were in such a dependence, that since there are no juries allowed in Scotland in civil matters, the whole property of the kingdom was in their hands, and by their means in the hands of the ministers: they had also observed, how ineffectual it had been to complain of them at court; it put those who ventured on it to a vast charge, to no other purpose but to expose them the more to the fury of the ministry. The poor noblemen, and the poor boroughs made a great majority in their parliament, and were easily to be purchased by the court; so they saw no hopes of a remedy to such a mischief, but by an incorporating union with England. These thoughts were much quickened by the prospect of recovering what they had lost in that ill concerted undertaking of Darien; and this was so universal and so operative, that the design on Darien, which the jacobites had set on foot, and prosecuted with so much fury, and with bad intentions, did now engage many to promote the union, who, without that consideration, would have been at least neutral, if not backward in it. The court was engaged to promote the union, on account of the act of security, passed in the year 1704, which was imputed chiefly to the lord treasurer: threatenings, of impeaching him for advising it, had been often let fall, and upon that his enemies had set their chief hopes of pulling him down: for though no proof could be brought of his counsel in it, yet it was not doubted but that his advice had determined the queen to pass

it. An impeachment was a word of an odious sound, which would engage a party against him, and disorder a session of parliament; and the least ill effect it might have would be to oblige him to withdraw from business, which was chiefly aimed at. The queen was very sensible that his managing the great trust he was in, in the manner he did, made all the rest of her government both safe and easy to her; so she spared no pains to bring this about, and it was believed she was at no small cost to compass it, for those of Scotland had learned from England to set a price on their votes, and they expected to be well paid for them: the lord treasurer did also bestir himself in this matter, with an activity and zeal, that seemed not to be in his nature; and indeed, all the application, with which the court set on this affair, was necessary to master the opposition and difficulties, that sprang up in the progress of it. That which completed all was, the low state to which the affairs of France were reduced: they could neither spare men, nor money, to support their party, which otherwise they would undoubtedly have done: they had, in imitation of the exchequer-notes here in England, given out mint-bills to a great value; some said two hundred millions of livres: these were ordered to be taken by the subjects, in all payments, as money to the full value, but were not to be received in payments of the king's taxes: this put them under a great discredit, and the fund created for repaying them not being thought a good one, they had sunk seventy per cent. This created an inexpressible disorder in all payments, and in the whole commerce of France; all the methods that were proposed for raising their credit had proved ineffectual; for they remained after all at the discount of fifty-eight per cent. A court in this distress was not in a condition to spare much, to support such an inconsiderable interest, as they esteemed their party in Scotland; so they had not the assistance which they promised themselves from thence. The conjuncture of all these things meeting together, which brought this great work to a happy conclusion, was so remarkable, that I hope my laying it all in one view will be thought no impertinent digression.

This was the chief business of the session of parliament; and it was brought about, here in England, both sooner, and with less difficulty, than was expected. The grant of the supplies went on quicker than was usual. There was only one particular to which great objections were made; upon the great and early success of the former campaign, it was thought necessary to follow that with other projects, that drew on a great expense, beyond what had been estimated, and laid before the parliament. An embarkation, first designed against France, and afterwards sent to Portugal, and the extraordinary supplies that the duke of Savoy's affairs called for, amounted to about 800,000*l.* more than had been provided for by parliament. Some complained of this, and said, that if a ministry could thus run the nation into a great charge, and expect that the parliament must pay the reckoning, this might have very ill consequences. But to this it was answered, that a ministry deserved public thanks, that had followed our advantages with such vigour: if any thing was raised without necessity, or ill applied, under the pretence of serving the public, it was very reasonable to enquire into it, and to let it fall heavy on those who were in fault; but if no other exception lay to it, than because the matter could not be foreseen, nor communicated to the parliament, before those accidents happened that occasioned the expense, it was a very unjust discouragement, if ministers were to be quarrelled with for their care and zeal: so it was carried by a great majority to discharge this debt. All the other supplicas, and among them the equivalent for Scotland, were given, and lodged on good funds; so that no session of parliament had ever raised so much, and secured it so well, as this had done. The session came to a happy conclusion, and the parliament to an end; but the queen, by virtue of a clause in the act of union, revived it by proclamation. Upon this, many of the Scotch lords came up, and were very well received; two of them, Montrose and Roxburgh, were made dukes in Scotland\*; some of them were made privy councillors in England; and a commission, for a new council, was sent to Scotland: there appeared soon two different parties among the Scotch; some of them moved, that there should neither be a distinct government, nor a privy council continued there, but that all should be brought under one administration, as the several counties in England were; they said, the sooner all were consolidated, in all respects, into one body,

\* The Scotch people concluded that it was the promise of a *dukery* that overcame the earl of Roxburgh's objections to the union, for he once had said "it should be prevented by the sword, if other means failed"—Grainger.

the possibility of separating and disuniting them, would be the sooner extinguished; this was pressed with the most earnestness by those who were weary of the present ministry, and longed to see their power at an end; but the ministry, who had a mind to keep up their authority, said, there was a necessity of preserving a show of greatness, and a form of government in those parts, both for subduing the jacobites, and that the nation might not be disgusted by too sudden an alteration of outward appearances. The court resolved to maintain the ministry there till the next session of parliament, in which new measures might be taken. Thus our affairs were happily settled at home, and the first of May was celebrated with a decent solemnity, for then the union took place.

The convocation sat this winter; and the same temper that had for some years possessed the lower house, did still prevail among them: when the debates concerning the union were before the parliament, some in the lower house spoke very tragically on that subject: a committee was named to consider of the present danger of the church, though but a little while before they had concurred with the bishops, in a very respectful address to the queen, in which it was acknowledged, that the church was under her majesty's administration, in a safe and flourishing condition: this was carried by the private management of some aspiring men amongst them, who hoped by a piece of skill to show what they could do, that it might recommend them to farther preferment; they were much cried out on as betrayers of their party, for carrying that address; so to recover their credit, and because their hopes from the court were not so promising, they resolved now to act another part. It was given out, that they intended to make an application to the house of commons, against the union; to prevent that, the queen wrote to the archbishop, ordering him to prorogue them for three weeks: by this means that design was defeated, for before the end of the three weeks, the union had passed both houses: but, when one factious design failed, they found out another; they ordered a representation to be made to the bishops, which set forth, that ever since the submission of the clergy in Henry the Eighth's time, which was for a course of one hundred and seventy-three years, no such prorogation had ever been ordered, during the sitting of parliament; and they besought the bishops, that from the conscientious regard which they doubted not they had, for the welfare of this church, they would use their utmost endeavours, that they might still enjoy those usages of which they were possessed, and which they had never misemployed: with this they brought up a schedule, containing, as they said, all the dates of the prorogations, both of parliament and convocation, thereby to make good their assertion: and to cover this seeming complaint of the queen's proceedings, they passed a vote, that they did not intend to enter into any debate concerning the validity of the late prorogation, to which they had humbly submitted. It was found to be a strange and a bold assertion, that this prorogation was without a precedent: their charge in the preserving their usages on the consciences of the bishops, insinuated that this was a breach made on them: the bishops saw this was plainly an attempt on the queen's supremacy; so they ordered it to be laid before her majesty; and they ordered also a search to be made into the records; for though it was an undoubted maxim that nothing but a positive law could limit the prerogative, which a non-usage could not do, yet they ordered the schedule, offered by the lower house, to be compared with the records; they found that seven or eight prorogations had been ordered, during the sitting of parliament, and there were about thirty or forty more, by which it appeared, that the convocation sat sometimes before, and sometimes after a session of parliament, and sat sometimes even when the parliament was dissolved. Upon all this the queen wrote another more severe letter to the archbishop, complaining of the clergy, for not only continuing their illegal practices, but reflecting on her late order, as without a precedent, and contrary to ancient usages; which as it was untrue in fact, so it was an invasion of her supremacy: she had shewed much tenderness to the clergy, but if any thing of this nature should be attempted for the future, she would use means warranted by law for punishing offenders, how unwilling soever she might be to proceed to such measures. When the day came on which this was to be communicated to the lower house, the prolocutor\* had gone out of town, without so much as asking the archbishop's leave;

\* This was dean Stanhope.



so a very small number of the clergy appeared : upon this signal contempt, the archbishop pronounced him contumacious, and referred the further censuring him to the day he set for their next meeting : the prolocutor's party pressed him to stand it out, and to make no submission ; but he had sounder advice given him by some who understood the law better ; so he made a full submission, with which the archbishop was satisfied : yet a party continued, with great impudence to assert, that their schedule was true, and that the queen was misinformed, though the lord chancellor, made now a peer of England, and the lord chief justice Holt, had, upon perusal of the records, affirmed to the queen, that their assertion was false, and that there were many precedents for such prorogations.

And now I must look abroad into foreign affairs. The French were losing place after place in Lombardy ; Cremona, Mantua, and the city of Milan were the only places that were left in their hands : it was not possible to maintain these long without a greater force, nor was it easy to convey that to them. On the other hand, the reducing those fortresses was likely to be a work of time, which would fatigue the troops, and would bring a great charge with it ; so a capitulation was proposed for delivering up those places, and for allowing the French troops a free march to Dauphiny. As soon as this was sent to Vienna, it was agreed to, without communicating it to the allies, which gave just cause of offence : it was said in excuse, that every general had a power to agree to a capitulation ; so the emperor, in this case, was not bound to stay for the consent of the allies. This was true, if the capitulation had been for one single place, but this was of the nature of a treaty, being of a greater extent ; by this the French saved ten or twelve thousand men, who must all have been, in a little time, made prisoners of war : they were veteran troops, and were sent into Spain, of which we quickly felt the ill effects \*.

The design was formed for the following campaign after this manner : the duke of Savoy undertook to march an army into France, and to act there as should be concerted by the allies ; some proposed the marching through Dauphiny to the river of the Rhone, and so up to Lyons ; but an attempt upon Toulon was thought the most important thing that could be designed ; so that was settled on. Mareschal Tessé was sent to secure the passes, and to cover France on that side. This winter the prince of Baden died, little esteemed, and little lamented ; the marquis of Bareith had the command of the army, on the Upper Rhine, from whom less was expected ; he was so ill supported that he could do nothing. The court of Vienna was so set on the reduction of Hungary, that they thought of nothing else : the Hungarians were very numerous, but they wanted both officers and discipline : Ragotzi had possessed himself of almost all Transylvania, and the Hungarians were so alienated from the emperor, that they were consulting about choosing a new king.

The eyes of all Europe were upon the king of Sweden, who having possessed himself of Saxony, made king Augustus soon feel, that now that his hereditary dominions were in his enemy's hands, he could no longer maintain the war in Poland : so a treaty was set on foot, with such secrecy, that it was concluded before it was apprehended to be in agitation. King Augustus was only waiting for a fit opportunity to disengage himself from his Polanders, and from the Muscovites ; an incident happened that had almost embroiled all again : the Polanders and Muscovites attacked a body of Swedes, at a great disadvantage, being much superior to them in number ; so the Swedes were almost cut to pieces. King Augustus had no share in this, and did all that he durst venture on to avoid it : he paid dear for it, hard conditions were put on him, to which the necessity of his affairs forced him to submit. He made all the haste he safely could to get out of Poland ; he resigned back their crown to them, and was contented with the empty name of king, though that seemed rather to be a reproach than any accession of honour to his electoral dignity ; he thought otherwise, and stipulated that it should be continued to him : he was at mercy, for he had neither forces nor treasure : it was thought the king of Sweden treated him with too much rigour, when he had so entirely mastered him ; the other was as little pitied as he deserved to be, for by many wrong practices he had drawn all his misfortunes on himself. The king of Sweden, being in the heart of Germany, in so formidable a posture, gave great apprehensions to the

\* For full information relative to the continental war, the reader may refer to Campbell's *Memoirs of Marlborough and Engae* ; Quincy's *Histoire Militaire* ; Limier's *Histoire* ; *Memoires de la Torre*, &c.

allies. The French made strong applications to him, but the courts of Prussia and Hanover were in such a concert with that king, that they gave the rest of the allies great assurances that he would do nothing to disturb the peace of the empire, nor to weaken the alliance : the court of France pressed him to offer his mediation for a general peace ; all the answer he gave was, that if the allies made the like application to him, he would interpose, and do all good offices in a treaty. So he refused to enter into any separate measures with France, yet the court of Vienna was under a great apprehension of his seeking matter for a quarrel with them. The czar at this time overran Poland, so that king Stanislaus was forced to fly into Saxony to the king of Sweden for protection, both he and his queen stayed there all the winter, and a great part of this summer. The czar pressed the Polanders to proceed to the election of another king, but could not carry them to that ; so it was generally believed, that they were resolved to come to a treaty with king Stanislaus, and to settle the quiet of that kingdom, exhausted by a long and destructive war. The czar tried, if it were possible, to come to a peace with the king of Sweden, and made great offers in order to it ; but that king was implacable, and seemed resolved to pull him down, as he had done king Augustus. That king's designs were impenetrable, he advised with few, and kept himself on great reserves with all foreign ministers, whom he would not suffer to come near him, except when they had a particular message to deliver. Our court was advised by the elector of Hanover to send the duke of Marlborough to him : it was thought this would please him much, if it had no other effect ; so he went thither, but could gain no ground on him. He affected a neglect of his person, both in clothes, lodging, and diet ; all was simple, even to meanness ; nay, he did not so much as allow a decent cleanliness : he appeared to have a real sense of religion, and a zeal for it, but it was not much enlightened : he seemed to have no notion of public liberty, but thought princes ought to keep their promises religiously, and to observe their treaties punctually ; he rendered himself very acceptable to his army, by coming so near their way of living, and by his readiness to expose his own person, and to reward services done him ; he had little tenderness in his nature, and was a fierce enemy, too rough, and too savage : he looked on foreign ministers as spies by their character, and treated them accordingly ; and he used his own ministers rather as instruments to execute his orders, than as counsellors.

The court of France finding they could not prevail on him, made a public application to the pope, for his mediating a peace : they offered the dominions in Italy to king Charles, to the States a barrier in the Netherlands, and a compensation to the duke of Savoy, for the waste made in his country ; provided, that on those conditions, king Philip should keep Spain, and the West Indies. It was thought the court of Vienna wished this project might be entertained, but the other allies were so disgusted at it, that they made no steps toward it : the court of Vienna did what they could to confound the designs of this campaign ; for they ordered a detachment of twelve thousand men to march from the army in Lombardy to the kingdom of Naples. The court of England, the States, and the duke of Savoy, studied to divert this, with the warmest instances possible, but in vain : though it was represented to that court, that if the duke of Savoy could enter into Provence with a great army, that would cut off all supplies, and communication with France : so that success, in this great design, would make Naples and Sicily fall into their hands of course ; but the imperial court was inflexible ; they pretended they had given their party in Naples such assurances of an invasion, that if they failed in it, they exposed them all to be destroyed, and thereby they might provoke the whole country to become their most inveterate enemies. Thus they took up a resolution without consulting their allies, and then pretended that it was fixed, and could not be altered.

The campaign was opened very fatally in Spain : king Charles pretended, there was an army coming into Catalonia from Roussillon, and that it was necessary for him to march into that country ; the dividing a force, when the whole together was not equal to the enemy's, has often proved fatal : he ought to have made his army as strong as possibly he could, and to have marched with it to Madrid ; for the rest of Spain would have fallen into his hands, upon the success of that expedition. But he persisted in his first resolution, and marched away with a part of the army, leaving about sixteen thousand men under the earl

of Galway's command. They had eaten up all their stores in Valencia, and could subsist no longer there; so they were forced to break into Castile: the duke of Berwick came against them with an army not much superior to theirs; but the court of France had sent the duke of Orleans into Spain, with some of the best troops that they had brought from Italy, and these joined the duke of Berwick a day before the two armies engaged. Some deserters came over, and brought the earl of Galway the news of the conjunction; but they were not believed, and were looked on as spies, sent to frighten them. A council of war had resolved to venture on a battle, which the state of their affairs seemed to make necessary: they could not subsist where they were, nor be subsisted if they retired back into Valencia; so on the fourteenth of April, the two armies engaged in the plain of Almanza. The English and Dutch beat the enemy, and broke through twice; but the Portuguese gave way; upon that the enemy, who were almost double in number, both horse and foot, flanked them, and a total rout followed, in which about ten thousand were killed or taken prisoners. The earl of Galway was twice wounded; once so near the eye, that for some time it put him out of a capacity for giving orders; but at last he, with some other officers, made the best retreat they could. Our fleet came happily on that coast on the day that the battle was fought; so he was supplied from thence, and he put garrisons into Denia and Alicant, and retired to the Ebro, with about three thousand horse, and almost as many foot. The duke of Orleans pursued the victory; Valencia submitted, and so did Saragoza; so that the principality of Catalonia was all that remained in king Charles's obedience. The king of Portugal died this winter, but that made no great change in affairs there: the young king agreed to every thing that was proposed to him by the allies; yet the Portuguese were under a great consternation, their best troops being either cut off, or at that time in Catalonia.

Marshal Villars was sent to command in Alsace: he understood that the lines of Stollen were ill kept, and weakly manned; so he passed the Rhine, and without any loss, and very little opposition, he broke through, and seized on the artillery, and on such magazines as were laid in there. Upon this shameful disgrace, the Germans retired to Hailbron: the circle of Suabia was now open, and put under contribution; and Villars designed to penetrate as far as to Bavaria. The blame of this miscarriage was laid chiefly on the imperial court, who neither sent their quota thither, nor took care to settle a proper general for the defence of the empire. In Flanders the French army, commanded by the duke of Vendome, came and took post at Gemblours, in a safe camp; the duke of Marlborough lay at Meldert in a more open one: both armies were about one hundred thousand strong; but the French were rather superior to that number.

In the month of June, the design upon Toulon began to appear: the queen and the States sent a strong fleet thither, commanded by sir Cloudesley Shovel; who from mean beginnings, had risen up to the supreme command; and had given many proofs of great courage, conduct and zeal, in the whole course of his life\*. Prince Eugene had the command of the imperial army that was to second the duke of Savoy in this undertaking, upon the success of which the final conclusion of the war depended. The army was not so strong as it was intended it should have been: the detachment of twelve thousand men was ordered to march to Naples; and no applications could prevail at the court of Vienna, to obtain a delay in

\* "He who enjoys a title by birth, derives it from the virtues of his ancestors, but he who raises himself into high rank by his merit creates his nobility." Sir Cloudesley Shovel was of the latter class; born of obscure parents, and apprenticed to a shoemaker, circumstances did not give a friendly aid to his aspirations for fame. Born and resident in the obscure maritime town of Clay, in Norfolk, his early companions were the fishermen of that dangerous coast, and from being an auditor and a witness of their life and doing, he probably acquired a fondness for the naval service. He ran away from the lapstone, and volunteered on board the ship commanded by sir Christopher Mynns. To know him, it appears, was a surety that you must love him; for from this early period to the latest of his life, he was open-hearted, candid, generous, and brave—qualifications that made him the idol of his brother sailors, and

beloved even by his monarchs. Sir John Narborough soon became his patron, and eventually sir Cloudesley married his widow; such are the strange occurrences in this life of incalculable changes. At the time of his death, the melancholy circumstances attending which will be mentioned hereafter, he was rear admiral of England; admiral of the white; commander-in-chief of the fleet; a member of the council of prince George, lord high admiral; elder brother of the Trinity House; a governor of Greenwich Hospital; and member of parliament for Rochester. "The duties of the husband, the father, the friend, and the relation were excellently performed by sir Cloudesley, who always gave in charity more than was expected, and was munificent to merit even beyond his princely income."—Campbell's *Lives of the Admirals*; Noble's *Contin. of Grainger*.



that expedition : there were also eight or ten thousand recruits that were promised to be sent to reinforce prince Eugene, which were stopped in Germany, for the emperor was under such apprehensions of a rupture with Sweden, that he pretended it was absolutely necessary, for his own safety, to keep a good force at home. Prince Eugene had also orders, not to expose his troops too much : by this means they were the less serviceable : notwithstanding these disappointments, the duke of Savoy, after he had for some weeks covered his true design, by a feint upon Dauphiny, by which he drew most of the French troops to that side ; as soon as he heard that the confederate fleet was come upon the coast, he made a very quick march through ways that were thought impracticable, on to the river Var, where the French had cast up such works, that it was reckoned these must have stopped his passing the river ; and they would have done it effectually, if some ships had not been sent in from the fleet, into the mouth of the river, to attack these where there was no defence ; because no attack from that side was apprehended. By this means they were forced to abandon their works, and so the passage over the river was free : upon this, that duke entered Provence, and made all the haste he could towards Toulon. The artillery and ammunition were on board the fleet, and were to be landed near the place ; so the march of the army was as little encumbered as was possible : yet it was impossible to advance with much haste in an enemy's country, where the provisions were either destroyed, or carried into fortified places, which, though they might have easily been taken, yet no time was to be lost in executing the great design ; so this retarded the march for some days : yet, in conclusion, they came before the place, and were quickly masters of some of the eminences that commanded it. At their first coming they might have possessed themselves of another, called St. Anne's hill, if prince Eugene had executed the duke of Savoy's orders ; he did it not, which raised a high discontent ; but he excused himself by showing the orders he had received, not to expose the emperor's troops. Some days were lost by the roughness of the sea, which hindered the ships from landing the artillery and ammunition. In the mean while, the troops of France were ordered to march from all parts to Toulon : the garrison within was very strong ; the forces that were on their march to Spain, to prosecute the victory of Almanza, were countermanded ; and so great a part of Villars's army was called away, that he could not make any further progress in Germany. So that a great force was, from all hands, marching to raise this siege ; and it was declared, in the court of France, that the duke of Burgundy would go and lead on the army. The duke of Savoy lost no time, but continued cannonading the place, while the fleet came up to bombard it ; they attacked the two forts that commanded the entrance into the mole with such fury, that they made themselves masters of them ; but one of them was afterwards blown up. Those within the town were not idle ; they sunk some ships in the entrance into the mole, and fired furiously at the fleet, but did them little harm : they beat the duke of Savoy out of one of his most important posts, which was long defended by a gallant prince of Saxe-Gotha ; who, not being supported in time, was cut to pieces. This post was afterwards regained, and the fleet continued for some days to bombard the place : but in the end, the duke of Savoy, whose strength had never been above thirty thousand men, seeing so great a force marching towards him, who might intercept his passage, and so destroy his whole army, and there being no hope of his carrying the place, found it necessary to march home in time ; which he did with so much order and precaution, that he got back into his own country, without any loss ; and soon after his return, he sat down before Suza, and took it in a few weeks. Our fleet did all the execution they could on the town ; their bombs set some places on fire, which they believed were magazines ; for they continued burning for many hours ; in conclusion, they sailed off. They left behind them a fleet of six-and-twenty ships in the Mediterranean, and the great ships sailed homewards. Thus this great design, on which the eyes of all Europe were set, failed in the execution, chiefly by the emperor's means : England and the States performed all that was expected of them, nor was the duke of Savoy wanting on his part ; though many suspected him, as backward, and at least cold in the undertaking \*. It was not yet perfectly under-

\* It would seem that the duke of Savoy was induced not to persist in the siege of Toulon, by the representations of the king of Sweden, who was prevailed upon to interfere by count Piper, who in his turn was acted upon

by the French and Bavarian ambassadors.—Lambert's *Memoires* ; lord Walpole of Woolerton's *Answer to Lord Bolingbroke's Letters on History*.

stood what damage the French sustained ; many of their ships were rendered unserviceable, and continue to be so still ; nor did they set out any fleet all the following winter ; though the affairs of king Charles in Spain were then so low, that if they could have cut off the communication by sea between Italy and Spain, they must soon have been masters of all that was left in his hands ; so that from their fitting out no fleet at Toulon, it was concluded that they could not do it. When the design upon Toulon was broken, more troops were sent into Spain : the earl of Galway did, with incredible diligence and activity, endeavour to repair the loss at Almanza, as much as was possible : the supplies and stores that he had from our fleet, put him in a capacity to make a stand ; he formed a new army, and put the strong places in the best posture he could ; Lerida was the most exposed, and so was the best looked to ; Tortosa, Tarragona, and Gironne, were also well fortified, and good garrisons were put in them. The attempt on Toulon, as it put a stop to all the motions of the French, so it gave him time to put the principality of Catalonia in a good state of defence. The duke of Orleans, being reinforced with troops from France, sat down before Lerida, in the end of September, with an army of thirty thousand men : the place was commanded by a prince of Hesse, who held out above forty days : after some time he was forced to abandon the town, and to retire into the castle ; the army suffered much in this long siege. When the besieged saw how long they could hold out, they gave the earl of Galway notice, upon which he intended to have raised the siege ; and if the king of Spain would have consented to his drawing, out of the other garrisons, such a force as might have been spared, he undertook to raise it, which was believed might have been easily done : and if he had succeeded, it would have given a new turn to all the affairs of Spain : but count Noyelles, who was well practised in the arts of flattery, and knew how much king Charles was alienated from the earl of Galway, for the honest freedom he had used with him, in laying before him some errors in his conduct, set himself to oppose this, apprehending that success in it would have raised the earl of Galway's reputation again, which had suffered a great diminution by the action of Almanza ; he said, this would expose the little army they had left them, to too great a hazard ; for if the design miscarried, it might occasion a revolt of the whole principality. Thus the humours of princes are often more regarded than their interest ; the design of relieving Lerida was laid aside. The French army was diminished a fourth part, and the long siege had so fatigued them, that it was visible, the raising it would have been no difficult performance, but the thoughts of that being given over, Lerida capitulated in the beginning of November : the Spaniards made some feeble attempts on the side of Portugal, with success, for little resistance was made ; the Portuguese excusing themselves by their feebleness, since their best troops were in Catalonia.

King Charles, finding his affairs in so ill a condition, wrote to the emperor, and to the other allies, to send him supplicas, with all possible haste : Stanhope was sent over, to press the queen and the States to dispatch these the sooner. At the end of the campaign in Italy, seven thousand of the imperial troops were prepared to be sent over to Barcelona ; and these were carried in the winter, by the confederate fleet, without any disturbance given them by the French. Recruits and supplies of all sorts were sent over from England, and from the States to Portugal. But while the house of Austria was struggling with great difficulties, two pieces of pomp and magnificence consumed a great part of their treasure : an embassy was sent from Lisbon, to demand the emperor's sister for that king, which was done with an unusual and extravagant expense : a wife was to be sought for king Charles, among the protestant courts, for there was not a suitable match in the popish courts : he had seen the princess of Anspach, and was much taken with her ; so that great applications were made to persuade her to change her religion, but she could not be prevailed on to buy a crown at so dear a rate : and soon after she was married to the prince electoral of Brunswick, which gave a glorious character of her to this nation ; and her pious firmness is likely to be rewarded, even in this life, with a much better crown, than that which she rejected. The princess of Wolfenbuttle was not so firm ; so she was brought to Vienna, and some time after was married by proxy to king Charles, and was sent to Italy, in her way to Spain. The solemnity with which these matters were managed, in all this distress of their affairs, consumed a vast deal of treasure ; for such was the pride of those courts on such occasions,

that, rather than fail in a point of splendour, they would let their most important affairs go to wreck. That princess was landed at Barcelona; and the queen of Portugal the same year came to Holland, to be carried to Lisbon, by a squadron of the English fleet.

But while matters were in a doubtful state in Spain, the expedition to Naples had all the success that was expected: the detachment from Lombardy marched through the ecclesiastical state, and struck no small terror into the court of Rome, as they passed near it: it was apprehended some resistance would have been made in Naples by those who governed there under king Philip; but the in-bred hatred the Neapolitans bore the French, together with the severities of their government, had put that whole kingdom into such a disposition to revolt, that the small party which adhered to king Philip found it not advisable to offer any resistance, so they had only time enough to convey their treasure, and all their richest goods to Cayeta, and to retire thither: they reckoned they would either be relieved from France by sea, or obtain a good capitulation; or if that failed, they had some ships and galleys, in which they might hope to escape. The imperialists took possession of Naples, where they were received with great rejoicings; their ill conduct quickly moderated that joy, and very much disposed the Neapolitans to a second revolt: but upon applications, made to the courts of Vienna and Barcelona, the excesses of the imperialists, who carried their ravenous disposition with them wheresoever they went, were somewhat corrected, so that they became more tolerable. As soon as a government could be settled at Naples, they undertook the siege of Cayeta, which went on at first very slowly; so that those within seemed to apprehend nothing so much as the want of provisions; upon which they sent the few ships they had to Sicily, to bring them supplies, for all they might want: when these were sent away, the imperialists, knowing what a rich booty was lodged in the place, pressed it very hard, and, in conclusion, took it by storm; and so were masters of all the wealth that was in it; the garrison retired into the castle, but they were soon after forced to surrender, and were all made prisoners of war. It was proposed to follow this success, with an attempt upon Sicily; but it was not easy to supply Naples with bread, nor was our fleet at liberty to assist them; for they were ordered to lie on the coast of Spain, and to wait there for orders; when these arrived, they required them to carry the marquis das Minas and the earl of Galway, with the forces of Portugal, to Lisbon, which was happily performed: and the earl of Galway found the character and powers of an ambassador, lying for him there. The thoughts of attempting Sicily were therefore laid aside for this time; though the Sicilians were known to be in a very good disposition to entertain it. A small force was sent from Naples to seize on those places which lay on the coast of Tuscany, and belonged to the crown of Spain: some of them were soon taken, but Porto Longone and Port Hercole made a better resistance: this was the state of affairs in Italy and Spain all this year, and till the opening of the campaign the next year.

Villars continued in Germany, laying Suabia under heavy contributions; and very probably he would have penetrated into Bavaria, if the detachments he was ordered to send away had not so weakened his army, that he durst not venture further, nor undertake any considerable siege. While the empire was thus exposed, all men's eyes turned towards the elector of Brunswick, as the only person that could recover their affairs out of those extremities, into which they were brought: the emperor pressed him to accept of the supreme command; this was seconded by all the allies, but most earnestly by the queen and the States: the elector used all the precaution that the embarking in such a design required, and he had such assurances of assistance from the princes and circles, as he thought might be depended upon: so he undertook the command: his first care was to restore military discipline, which had been very little considered or submitted to, for some years past; and he established this with such impartial severity, that the face of affairs there was soon changed; but the army was too weak, and the season was too far spent, to enter on great designs. One considerable action happened, which very much raised the reputation of his conduct: Villars had sent a detachment of three thousand horse and dragoons, either to extend his contribution, or to seize on some important post; against these the elector sent out another body that fell upon the French, and gave them a total defeat, in which two thousand of them were cut off: soon after that, Villars retired back to Strasburg, and the campaign in those parts ended.



I will take in here a transaction that lay not far from the scene of action. There was, all this summer, a dispute at Neufchatel, upon the death of the old duchess of Nemours, in whom the house of Longueville ended; she enjoyed this principality, which, since it lay as a frontier to Switzerland, was on this occasion much considered. There were many pretenders of the French nation, the chief was the prince of Conti; all these came to Neufchatel, and made their application to the states of that country, and laid their several titles before them: the king of France seemed to favour the prince of Conti most; but yet he left it free to the states to judge of their pretensions, provided they gave judgment in favour of one of his subjects; adding severe threatenings, in case they should judge in behalf of any other pretender. The king of Prussia, as heir by his mother to the house of Châlons, claimed it as his right, which the late king had, by a particular agreement made over to him; so he sent a minister thither, to put in his claim: and the queen, and the States, ordered their ministers in Switzerland to do their best offices, both for advancing his pretensions, and to engage the cantons to maintain them; the king of Sweden wrote also to the cantons to the same effect. The allies looked on this as a matter of great consequence; since it might end in a rupture between the protestant cantons and France; for the popish cantons were now wholly theirs. After much pleading, and a long dispute, the states of the principality gave judgment in favour of the king of Prussia; the French pretenders protested against this, and left Neufchatel in a high discontent: the French ambassadors threatened that little state with an invasion, and all commerce with them was forbidden: the canton of Bern espoused their concern with a spirit and zeal that was not expected from them: they declared they were in a comburghership with them; and upon that they sent a body of three thousand men to defend them. The French continued to threaten, and Villars had orders to march a great part of his army towards them; but when the court of France saw that the cantons of Bern and Zurich were not frightened with those marches, they let the whole matter fall, very little to their honour: and so the intercourse between the French dominions and that state was again opened, and the peace of the cantons was secured. The king of Prussia engaged his honour that he would govern that state with a particular zeal, for advancing both religion and learning in it; and upon these assurances, he persuaded the bishops of England, and myself in particular, to use our best endeavours to promote his pretensions; upon which we wrote, in the most effectual manner we could, to Mons. Ostervald, who was the most eminent ecclesiastic of that state, and one of the best and most judicious divines of the age: he was bringing that church to a near agreement with our forms of worship: the king of Prussia was well set, in all matters relating to religion; and had made a great step, in order to reconcile the Lutherans and the Calvinists in his dominions, by requiring them not to preach to the people on those points, in which they differ; and by obliging them to communicate together, notwithstanding the diversity of their opinions; which is indeed the only wise and honest way to make up that breach.

The affinity of the matter leads me next to give an account of the differences between the king of Sweden and the court of Vienna. That king, after he had been a very heavy guest in Saxony, came to understand that the protestants in Silesia had their churches and the free exercise of their religion stipulated to them by the peace of Munster, and that the crown of Sweden was the guarantee for observing this. These churches were taken from them: so the king of Sweden was in justice bound to see to the observing of that article: he very readily embraced this opportunity, which had been long neglected or forgotten by his father. When this was first represented to the court of Vienna, it was treated there with much scorn; and count Zabor, one of the ministers of that court, spoke of the king of Sweden in a style that he thought furnished him with a just pretension to demand that he should be sent to him, to be punished as he thought fit. This was soon yielded; the count was sent to the king, and made such an humble submission to him as was accepted. But the demand for restoring the churches was a matter of hard digestion to a bigoted and haughty court. The king of Sweden had a great army at hand, and he threatened an immediate rupture, if this demand was not agreed to without delay. In this he was so positive, that the imperial court at last yielded, they being then in no condition to resist a warlike prince, and an army hardened by an exact discipline and the fatigues of a long war: so that every thing that was

demand, pursuant to that article of the treaty of Munster, was agreed to be performed within a prefixed time. And upon that the king of Sweden marched his army, under the most regular discipline, through Silesia, as had been agreed, into Poland. The jesuits made great opposition to the performance of what had been stipulated; but the imperial court would not provoke a prince, who they thought was seeking a colour to break with them: so, by the day prefixed, all the churches were restored to the protestants in Silesia. Upon this, he was highly magnified, and great endeavours were again used to engage him in the alliance; but he was so set against the czar, whom he designed to dethrone, that nothing could then divert him from it: yet he so far entered into the interests of religion that, as he wrote to the king of France, desiring him not to oppose the king of Prussia in his pretensions on Neufchatel, he also wrote to the cantons, desiring them to promote and support them. The cantons, seeing those characters of zeal in him, sent a French gentleman of quality to him, the marquis de Rochemore, to let him know what regard they had to his recommendations, and to desire him to interpose his good offices with the king of France, for setting at liberty about three hundred persons, who were condemned to the galleys, and treated most cruelly in them, upon no other pretence but because they would not change their religion, and had endeavoured to make their escape out of France. He received this message with a particular civility, and immediately complied with it; ordering his minister at the court of France to make it his desire to that king, that these confessors might be delivered to him. But the ministers of France said that was a point of the king's government at home, in which he could not suffer foreign princes to meddle. He seemed sensible of this neglect, and it was hoped that, when his affairs could admit of it, he would express a due resentment of it.

To end all the affairs of Germany, for this year, at once, I must mention a quarrel, raised in Hamburgh, between some private persons, one of whom was a Lutheran minister, which created a great division in that city. One side was protected by the senate, which gave so great a disgust to the other side, that it was likely to end in a revolt against the magistrates, and a civil war within the town. And it being known that the king of Denmark had for many years had an eye on that place, the neighbouring princes apprehended that he might take advantage from those commotions, or that the weaker side might choose rather to fall under his power, than under the revenges of the adverse party. The kings of Sweden and Prussia, with the house of Brunswick, resolved therefore to send troops thither, to quiet this distraction, and to chastise the more refractory; while the emperor's ministers, together with the queen's, endeavoured to accommodate matters, without suffering them to run to extremities.

It remains that I give an account of the campaign in Flanders. The French kept close within their posts, though the duke of Marlborough often drew out his troops to see if that could provoke them; but they were resolved not to fight on equal terms; and it was not thought advisable to attempt the forcing their posts: they lay for some months looking on one another; but both armies had behind them such a safe and plentiful conveyance of provisions, that no want of any sort could oblige either side to dislodge. The duke of Vendome had orders to send detachments to reinforce mareschal Villars, in lieu of those detachments that he had been ordered to send to Provence. The duke of Savoy seemed to wonder that the confederates lay so quiet, and gave the duke of Vendome no disturbance; and that they could not, at least, oblige him to keep all his army together. At last, the duke of Marlborough decamped, and moved towards French Flanders. The French decamped about the same time, but lodged themselves again in such a safe camp, that he could not force them into any action: nor was his army so numerous as to spare a body to undertake a siege, by that means to draw them to a battle: so that the campaign was carried on there in a very inoffensive manner on both sides. And thus matters stood in the continent every where this season.

France set out no fleet this year, and yet we never had greater losses on that element. The prince's council was very unhappy in the whole conduct of the cruisers and convoys. The merchants made heavy complaints, and not without reason: convoys were sometimes denied them, and when they were granted, they were often delayed beyond the time limited

for the merchants to get their ships in readiness ; and the sailing orders were sometimes sent them so unhappily (but, as many said, so treacherously), that a French squadron was then lying in their way to intercept them. This was liable to very severe reflections ; for many of the convoys, as well as the merchant-ships, were taken. And to complete the misfortunes of our affairs at sea this year, when sir Cloudesley Shovel was sailing home with the great ships, by an unaccountable carelessness and security, he and two other capital ships ran foul upon those rocks beyond the Land's End, known by the name of the Bishop and his Clerks, and they were in a minute broken to pieces ; so that not a man of them escaped. It was dark, but there was no wind, otherwise the whole fleet had perished with them : all the rest tacked in time, and so they were saved. Thus one of the greatest seamen of the age was lost by an error in his own profession and a great misreckoning ; for he had lain by all the day before and set sail at night, believing that next morning he would have time enough to guard against running on those rocks ; but he was swallowed up within three hours after \*.

This was the state of our affairs abroad, both by sea and land. Things went at home in their ordinary channels. But the conduct, with relation to Scotland, was more unaccountable ; for, whereas it might have been reasonably expected that the management of the newly united part of this island should have been particularly taken care of, so as to give no just distaste to the Scots, nor offer handles to those who were still endeavouring to inflame that nation and to increase their aversion to the union, things were on the contrary so ordered, as if the design had been to contrive methods to exasperate the spirits of the people there. Though the management of the Scotch revenue was to fall into the lord treasurer's hands on the first of May, no care was taken to have all the commissions ready at the day, with new officers to serve in them : so that the whole trade of Scotland was stopped for almost two months, for want of orders to put it into the new course in which it was to be carried on. Three months passed before the equivalent was sent to Scotland ; and when wines and other merchandise were imported into England from thence, seizures were every where made, and this was managed with a particular affectation of roughness. All these things heightened the prejudices with which that nation had been possessed against the union. It was also known that many messages passed between Scotland and France, and that there were many meetings and much consultation among the discontented party there : a great body appeared openly for the pretended prince of Wales, and celebrated his birth-day very publicly, both at Edinburgh and in other places of the kingdom ; and it was openly talked that there was now an opportunity, that was not to be lost, of invading the kingdom, though with a small force ; and that a general concurrence from the body of that nation might be depended on. These things were done in so barefaced a manner, that, no check being given to them nor enquiry made after them by those who were in the govern-

\* Sir Cloudesley sailed from Toulon to Gibraltar, and from thence returned to England. On the 22nd of October he came into the soundings, and in the morning had ninety fathoms water. About noon he lay to, but at six in the evening he made sail again, and stood away under his courses, believing, as it is presumed, that he saw the light on Scilly. Soon after which several ships of his fleet made the signal of distress, as he himself did ; and it was with much difficulty that sir George Byng, in the *Royal Ann*, saved himself, having one of the rocks under his main chains. On board the *Association* were lost, with sir Cloudesley, his son-in-law, sir J. Norborough and James, his brother, Mr. Trelawney, eldest son of the bishop of Winchester, and several other young gentlemen of quality. It was reported that a great part of the crew were intoxicated, but none survived to tell the tale. Sir Cloudesley's body was thrown ashore the next day, and being found by some fishermen, they stripped and then buried him. The emerald ring they had taken from his finger betrayed them, and Mr. Paxton, purser of the *Arundel*, compelled them to disclose the place where they

had inhumed the body. It was buried with every appropriate honour in Westminster Abbey. He was fifty-seven years old when thus lost. When queen Anne appointed sir John Leake to be rear-admiral of England, she told him "she knew no man so fit to repair the loss of the ablest seaman in her service."

In the prayer prepared by archbishop Tension, in the April of this year, imploring a blessing on our fleets and armies, was an unguarded expression, beseeching God to be "the rock of our might." This gave occasion to the following verses, said to have been laid on sir Cloudesley's tomb :

As Lambeth pray'd, so was the dire event,  
Else we had wanted here a monument,  
That to our fleet kind Heaven would be a rock ;  
Nor did kind Heaven the wise petition mock :  
To what the metropolitan did pen,  
The bishop and his clerks replied, *Amen*.

—Campbell's *Lives of the Admirals* ; Noble's *Contin. of Granger*.



mont, it gave occasion to many melancholy speculations. The management from England looked like a thing concerted to heighten that distemper; and the whole conduct of the fleet afforded great cause of jealousy.

But to open this, as clearly as it has yet appeared to me, I must give an account of a new scene at court. It was observed that Mr. Harley, who had been for some years secretary of state, had gained great credit with the queen, and began to set up for himself, and to act no more under the direction of the lord treasurer. There was one of the bedchamber women, who, being nearly related to the duchess of Marlborough, had been taken care of by her, together with her whole family (for they were fallen low), in a most particular manner. She brought her not only into that post, but she had treated her with such a confidence, that it had introduced her into a high degree of favour with the queen; which for some years was considered as an effect of the duchess of Marlborough's credit with her: she was also nearly related to Mr. Harley; and they two entered into a close correspondence\*. She learned the arts of a court, and observed the queen's temper, with so much application, that she got far into her heart: and she employed all her credit to establish Harley in the supreme confidence with the queen, and to alienate her affections from the duchess of Marlborough, who studied no other method of preserving her favour but by pursuing the true interest of the queen and of the kingdom. It was said that the prince was brought into the concert, and that he was made to apprehend that he had too small a share in the government, and that he was shut out from it by the great power that the duke of Marlborough and the lord treasurer had drawn into their hands. It was said, all depended on them; that the queen was only a cipher in the government, that she was in the duchess of Marlborough's hands, as her affairs were in the duke of Marlborough's hands. It was likewise talked among those who made their court to the new favourites, that there was not now a jacobite in the nation, that all were for the queen, and that, without doubt, she would reign out peaceably her whole life; but she needed not concern herself for a German family. These discourses began to break out, and gave sad thoughts to those to whom they were brought. This went on too long, little regarded: the duchess of Marlborough seemed secure of her interest in the queen, and showed no jealousy of a favour to which herself gave the first rise. This was the state of the court at the opening of the session of Parliament.

There were at that time three bishoprics vacant. Trelawny had been removed, the summer before, from Exeter to Winchester, which gave great disgust to many, he being considerable for nothing but his birth, and his interest in Cornwall†. The lord treasurer had engaged himself to him, and he was sensible that he was much reflected upon for it. But he, to soften the censure that this brought on him, had promised that, for the future, preferments should be bestowed on men well principled with relation to the present constitution, and on men of merit. The queen, without regarding this, did secretly engage herself to Dr. Blackhall for Exeter; and Chester (being at the same time void, by the death of Dr. Stratford) to sir William Dawes, for that see. These divines were in themselves men of value and worth, but their notions were all on the other side: they had submitted to the government, but they, at least Blackhall, seemed to condemn the revolution, and all that had been done pursuant to it‡. Dawes also was looked on as an aspiring man, who would

\* This was Mrs. Masham.

† Dr. Jonathan Trelawney was one of the seven bishops committed to the Tower of London by James the Second, as was noticed in a previous page. The popular feeling in his favour is recorded in this verse of a contemporary song:

“And shall Trelawney die? And shall Trelawney die?  
First thirty thousand Cornish men will know the  
reason why.”

He was the youngest son of sir Jonathan Trelawney of Pelynt, in Cornwall, and received his education at Westminster-school, and Christchurch, Oxford. Destined for the church, he persisted in devoting himself to the profession, although in 1680, by the death of his brother, he

succeeded to the baronetcy. He was successively bishop of Chichester, Bristol, and Winchester, of which last-named see he died diocesan in 1721. “He was a man of polite manners, competent learning, and uncommon knowledge of the world. He was friendly and open, generous and charitable, a good companion, and a good man.”—Wood's *Athenæ Oxon.*; Grainger's *Biog. Hist. of England*.

‡ Dr. Offspring Blackhall was a native of London, born in 1654, and educated at Catherine Hall, Cambridge. It is true, that he refused for two years to take the oaths of allegiance to king William and queen Mary, but he subsequently became one of his majesty's chaplains in ordinary. He was engaged in controversies with Toland and Hoadley; with the first, relative to the author of the *Icon*

set himself at the head of the tory party : so this nomination gave a great disgust\*. To qualify this a little, Patrick, the pious and learned bishop of Ely, dying at this time, the queen advanced More, from Norwich, thither ; and Dr. Trinnell, a worthy person in all respects, was named for Norwich†. Yet this did not quiet the uneasiness many were under by reason of the other nominations, which seemed to flow from the queen herself, and so discovered her inclinations. To prevent the ill effects that this might have in the approaching session, some of the eminent members of the house of commons were called to a meeting with the dukes of Somerset and Devonshire. These lords assured them, in the queen's name, that she was very sensible of the services the whigs did her ; and though she had engaged herself so far, with relation to those two bishoprics, that she could not recal the promises she had made, yet for the future she was resolved to give them full content. But while this was said to some whigs, Harley, and his friends St. John and Harcourt, took great pains on the leaders of the tories (in particular on Hanmer, Bromley, and Freeman), to engage them in the queen's interests ; assuring them that her heart was with them, that she was weary of the tyranny of the whigs, and longed to be delivered from it. But they were not wrought on by that management ; they either mistrusted it, as done only to ensnare them, or they had other views which they did not think fit to own. This double-dealing came to be known, and gave occasion to much jealousy and distrust. A little before the session was opened, an eminent misfortune happened at sea. A convoy, of five ships of the line of battle, was sent to Portugal, to guard a great fleet of merchant ships ; and they were ordered to sail, as if it had been by concert, at a time when a squadron from Dunkirk had joined another from Brest, and lay in the way waiting for them. Some advertisements were brought to the admiralty of this conjunction, but they were not believed. When the French set upon them, the convoy did their part very gallantly, though the enemy were three to one : one of the ships was blown up, three of them were taken, so that only one escaped much shattered ; but they had fought so long that most of the merchantmen had time to get away, and sailed on, not being pursued, and so got safe to Lisbon. This coming almost at the same time with the misfortune that happened to Shovel, the session was begun

Basilike, and with the latter concerning political obedience. He died in 1716. His sermons were published with a preface by sir William Dawes ; their prominent excellence is their "plainness." The writer of the preface says, "I, who had the happiness of a long and intimate friendship with him, do sincerely declare, that, in my whole conversation, I never met with a more perfect pattern of a true christian's life, than in him."—*Biographia Britannica*.

\* Sir William Dawes is a rare instance of a man, so devoted to his sacred profession, that from it he could be tempted neither by wealth nor dignities. Indeed he looked upon the clerical office as "the highest honour that could be conferred upon him." Consequently, when, by the death of his two elder brothers, the family estates and title descended upon him, he still persisted in entering holy orders. Thus devoted to his profession, it is not surprising that he became one of its most distinguished ornaments. Being appointed to preach before queen Anne on the 30th of January, whilst the bishopric of Lincoln was vacant, he expressed opinions so contrary to those entertained by the ministry, that they prevailed with her majesty not to promote him to that see. Being informed of this, he replied, "As to that I have no concern, because my intention was never to gain a bishopric by preaching." His wife, who died many years before him, and whose eulogistic epitaph he composed, was gifted with no very serene temper. Forgetting this, sir William, with pardonable weakness, and scarcely excusable wit, said that she possessed the virtues celebrated as appearing in other women renowned in history, particularly those of the name of *Mary*, being truly *Mare pacificum*. To which one of his auditors replied, that she was so, but

not until she had become *Mare mortuum*. Sir William was born near Braintree, in Essex, during the year 1671. He was educated at Merchant Taylor's ; St. John's, Oxford ; and Catherine Hall, Cambridge. To the mastership of the latter he succeeded in 1696. In 1707, he was elevated to the bishopric of Chester, and in seven years after to the archbishopric of York. He died in 1754. Without being a man of brilliant talents, he maintained a high rank among the prelates of his time, by his unimpeachable integrity and conscientious conduct. In all the relations of life he was very excellent.—Life prefixed to his Works ; *Biog. Britannica*, by Kippis ; Noble's Continuation of Grainger.

† Noble describes Dr. Charles Trinnell as "one of the fourteen fortunate children of the Rev. Charles Trinnell, rector of Repton Abbots, Huntingdonshire." He was born in 1663, and being educated, as were his father and brothers, at Winchester School, and New College, Oxford, he showed his regard for these places of his early celebrity, by desiring to have his body interred near their founder, William of Wyckham. In 1688 he was appointed preacher at the Rolls Chapel, by sir John Trevor. From that time his talents became publicly known. He obtained the bishopric of Norwich, as mentioned above, and in 1721 was translated to Winchester, of which see he died the diocesan in 1723. "Warm, yet temperate ; zealous, yet moderate ; his piety did not prevent him gaining a perfect knowledge of mankind ; nor did his assiduous performance of his clerical duties interfere with an eminent elegance of manners." The tory party even admired him, although he preached "terrible whig sermons."—*Biog. Britannica*. Noble's Continuation of Grainger.

with a melancholy face ; and a dispute, upon their opening, had almost put them into great disorder.

It was generally thought that though this was a parliament that had now sat two years, yet it was a new parliament, by reason it had been let fall, and was revived by a proclamation, as was formerly told : and the consequence of this was, that those who had got places were to go to a new election. Others maintained that it could not be a new parliament, since it was not summoned by a new writ, but by virtue of a clause in an act of parliament. The duke of Marlborough, upon his coming over, prevailed to have it yielded to be a new parliament ; but Harley was for maintaining it to be an old parliament. The house of commons chose the same speaker over again, and all the usual forms in the first beginning of a new parliament were observed.

These were no sooner over, than the complaints of the admiralty were offered to both houses. Great losses were made, and all was imputed to the weakness, or to a worse disposition, in some who had great credit with the prince, and were believed to govern that whole matter ; for, as they were entirely possessed of the prince's confidence, so when the prince's council was divided in their opinions, the decision was left to the prince, who understood very little of those matters, and was always determined by others. By this means they were really lord high admiral, without being liable to the law for errors and miscarriages. This council was not a legal court, warranted by any law, though they assumed that to themselves ; being counsellors, they were bound to answer only for their fidelity. The complaints were feebly managed at the bar of the house of commons\* ; for it was soon understood that not only the prince, but the queen likewise, concerned herself much in this matter : and both looked on it as a design levelled at their authority. Both whigs and tories seemed to be at first equally zealous in the matter, but by reason of the opposition of the court, all those who intended to recommend themselves to favour abated of their zeal : some were vehement in their endeavours to baffle the complaints : they had great advantages from the merchants managing their complaints but poorly ; some were frightened, and others were practised on, and were carried even to magnify the conduct of the fleet, and to make excuses for all the misfortunes that had happened. That which had the chief operation on the whole tory party was, that it was set round among them, that the design of all these complaints was to put the earl of Orford again at the head of the fleet : upon which they all changed their note, and they, in concurrence with those who were in offices, or pretended to them, managed the matter so that it was let fall, very little to their honour. Unkind remarks were made on some who had changed their conduct, upon their being preferred at court ; but the matter was managed with more zeal and courage in the house of lords, both whigs and tories concurring in it.

A committee was appointed to examine the complaints : they called the merchants who had signed the petition before them, and treated them, not with the scorn that was very indecently offered them by some of the house of commons, but with great patience and gentleness : they obliged them to prove all their complaints by witnesses upon oath. In the prosecution of the enquiry, it appeared, that many ships of war were not fitted out to be put to sea, but lay in port neglected, and in great decay ; that convoys had been often flatly denied the merchants, and that when they were promised, they were so long delayed, that the merchants lost their markets, were put to great charge, and, when they had perishable goods, suffered great damage in them. The cruizers were not ordered to proper stations in the Channel ; and when convoys were appointed, and were ready to put to sea, they had not their sailing orders sent them till the enemies' ships were laid in their way, prepared to fall on them, which had often happened. Many advertisements, by which those misfortunes might have been prevented, had been offered to the admiralty, but had not only been neglected by them, but those who offered them had been ill treated for doing it. The committee made report of all this to the house of lords : upon which, the lord treasurer moved

\* Burnet, with more propriety, would have said the complaints were "unsuccessfully" managed. For the journals of the house show that Mr. Heathcote and Mr. Dawson, two Russia merchants, charged the managers of the navy with fraud, malice, and ignorance. Admiral Churchill was particularly inculpated.



that a copy of the report might be sent to the lord admiral, which was done, and in a few days an answer was sent to the house, excusing, or justifying the conduct, in all the branches of it. The chief foundation of the answer was, that the great fleets which were kept in the Mediterranean obliged us to send away so many of our ships and seamen thither, that there was not a sufficient number left to guard all our trade, while the enemy turned all their forces at sea into squadrons for destroying it; and that all the ships, that could be spared from the public service abroad, were employed to secure the trade: the promise of convoys had been often delayed, by reason of cross winds and other accidents, that had hindered the return of our men of war longer than was expected, they being then abroad convoying other merchant ships: and it was said that there was not a sufficient number of ships for cruizers and convoys both. The paper ended with some severe reflections on the last reign, in which great sums were given for the building of ships, and yet the fleet was at that time much diminished, and four thousand merchant ships had been taken during that war. This was believed to have been suggested by Mr. Harley, on design to mortify king William's ministry. Upon reading this answer, a new and a fuller examination of the particulars was again resumed by the same committee, and all the allegations in it were exactly considered. It appeared that the half of those seamen that the parliament had provided for were not employed in the Mediterranean, that many ships lay idle in port, and were not made use of; and that in the last war, in which it appeared there were more seamen, though not more ships, employed in the Mediterranean than were now kept there, yet the trade was so carefully looked after by cruizers and convoys, that few complaints were then made; and as to the reflections made on the last reign, it was found that not half the sum that was named was given for the building of ships; and that instead of the fleet's being diminished during that war, as had been affirmed, it was increased by above forty ships; nor could any proof be given that four thousand ships were taken during that war. All the seamen who were then taken and exchanged did not exceed fifteen thousand, and in the present war eighteen thousand were already exchanged; and we had two thousand still remaining in our enemies' hands: so much had the prince been imposed on in that paper that was sent to the lords in his name.

When the examination was ended, and reported to the house, it was resolved to lay the whole matter before the queen in an address; and then the Tories discovered the design that they drove at; for they moved in the committee that prepared the address, that the blame of all the miscarriages might be laid on the ministry, and on the cabinet council. It had been often said, in the house of lords, that it was not intended to make any complaint of the prince himself; and it not being admitted that his council was of a legal constitution, the complaining of them would be an acknowledging their authority; therefore the blame could be laid regularly no where but on the ministry. This was much pressed by the duke of Buckingham, the earl of Rochester, and the lord Haversham. But to this it was answered, by the earl of Orford, the lord Somers, and the lord Halifax, that the house ought to lay before the queen only that which was made out before them upon oath; and therefore, since, in the whole examination, the ministry and the cabinet council were not once named, they could offer the queen nothing to their prejudice. Some of the things complained of fell on the navy board, which was a body acting by a legal authority. The lords ought to lay before the queen such miscarriages as were proved to them, and leave it to her to find out on whom the blame ought to be cast. So far was the ministry from appearing to be in fault, that they found several advertisements were sent by the secretaries of state to the Admiralty, that, as appeared afterwards, were but too well grounded, yet these were neglected by them; and that which raised the clamour the higher was, that during the winter, there were no cruizers lying in the Channel; so that many ships which had run through all dangers at sea were taken in sight of land, for the privateers came up boldly to our ports. All this was digested into a full and clear address, laid by the house before the queen. There was a general answer made to it, giving assurances that the trade should be carefully looked to; but nothing else followed upon it; and the queen seemed to be highly offended at the whole proceeding. At this time an inquiry likewise into the affairs of Spain was begun in both houses.

The earl of Peterborough had received such positive orders recalling him, that though he delayed as long as he could, yet at last he came home in August. But the queen, before she would admit him into her presence, required of him an account of some particulars in his conduct, both in military matters, in his negotiations, and in the disposal of the money remitted to him. He made such general answers as gave little satisfaction; but he seemed to reserve the matter to a parliamentary examination, which was entered upon by both houses. All the tories magnified his conduct, and studied to detract from the earl of Gallway; but it was thought that the ministry were under some restraints, with relation to the earl of Peterborough, though he did not spare them, which gave occasion to many to say they were afraid of him, and durst not provoke him. The whigs, on the other hand, made severe remarks on his conduct. The complaints that king Charles made of him were read, upon which he brought such a number of papers and so many witnesses to the bar to justify his conduct, that, after ten or twelve days spent wholly in reading papers and in hearing witnesses, both houses grew equally weary of the matter; so, without coming to any conclusion, or to any vote, they let all that related to him fall: but that gave them a handle to consider the present state of affairs in Spain. It was found that we had not above half the troops there that the parliament had made provision for: and that not above half the officers that belonged to those bodies served there. This gave the house of commons a high distaste, and it was hoped by the tories that they should have carried the house to severe votes and warm addresses on that head; which was much laboured by them, in order to load the ministry. In this Harley and his party were very cold and passive, and it was generally believed that the matter was privately set on by them. But the court sent an explanation of the whole matter to the house, by which it appeared, that though by death and desertion the number of the troops there was much diminished, yet the whole number provided, or at least very near it, was sent out of England. The service in Spain was much decried, and there was good reason for it; things there could not be furnished, but at excessive rates, and the soldiers were generally ill used in their quarters. They were treated very unkindly, not by king Charles, but by those about him, and by the bigotted Spaniards.

During these debates, severe things were said in general of the conduct of affairs in both houses. It was observed, that a vast army was well supplied in Flanders, but that the interest of the nation required that Spain should be more considered. It was moved in both houses that the emperor should be earnestly applied to, to send prince Eugene into Spain: complaints were also made of the duke of Marlborough, as continuing the war, though, at the end of the campaign of 1706, the French had offered to yield up Spain and the West Indies; but that was a false suggestion. All these heats in the house, after they had got this vent, were allayed. The queen assured them all past errors should be redressed for the future; and with repeated importunities she pressed the emperor to send prince Eugene to Spain. That court delayed to comply in this particular, but sent count Staremberg thither, who had indeed acquired a very high reputation. The queen entered also into engagements with the emperor, that she would transport, pay, and furnish, all the troops that he could spare for his brother's service. These steps quieted the discontent the house had expressed upon the ill conduct of affairs in Spain; but upon Stanhope's coming over, he gave a better prospect of affairs there; and he found a readiness to agree to all the propositions that he was sent over to make. All this while an act was preparing, both for a better security to our trade by cruizers and convoys, and for the encouraging privateers, particularly in the West Indies and in the South Sea. They were to have all they could take entirely to themselves: the same encouragement was also given to the captains of the queen's ships, with this difference, that the captains of privateers were to divide their capture according to agreements made among themselves; but they left the distribution of prizes, taken by men of war, to the queen, who, by proclamation, ordered them to be divided into eight shares; of which the captain was to have three, unless he had a superior officer over him, in which case the commodore was to have one of the three; the other five parts were to be distributed equally among the officers and mariners of the ships, put in five different classes. All the clauses that the merchants desired to encourage privateers were readily granted, and it was

hoped that a great stock would be raised to carry on this private war. This passed without opposition, all concurring in it.

But as to other matters, the tories discovered much ill humour against the ministry, which broke out on all occasions; and the jealousies with which the whigs were possessed made them as cold as the others were hot. This gave the ministers great uneasiness: they found Mr. Harley was endeavouring to supplant them at court, and to heighten the jealousies of the whigs; for he set it about among the tories, as well as among the whigs, that both the duke of Marlborough and the lord treasurer were as much inclined to come into measures with the tories, as the queen herself was. This broke out, and was likely to have had very ill effects, it had almost lost them the whigs, though it did not bring over the tories.

At this time two discoveries were made, very unlucky for Mr. Harley. Tallard wrote often to Chamillard, but he sent his letters open to the secretary's office, to be perused and sealed up, and so to be conveyed by the way of Holland: these were opened, upon some suspicion in Holland, and it appeared that one in the secretary's office put letters in them, in which, as he offered his service to the courts of France and St. Germain, so he gave an account of all transactions here: in one of these he sent a copy of the letter that the queen was to write, in her own hand, to the emperor; and he marked what parts of the letter were drawn by the secretary, and what additions were made to it by the lord treasurer. This was the letter by which the queen pressed the sending prince Eugene into Spain, and this, if not intercepted, would have been at Versailles many days before it could reach Vienna. He, who sent this, wrote that by this they might see what service he could do them, if well encouraged. All this was sent over to the duke of Marlborough, and upon search it was found to be written by one Gregg, a clerk, whom Harley had not only entertained, but had taken into a particular confidence, without enquiry into the former parts of his life; for he was a vicious and a necessitous person, who had been secretary to the queen's envoy in Denmark, but was dismissed by him for those his ill qualities. Harley had made use of him to get him intelligence, and he came to trust him with the perusal, and the sealing up, of the letters which the French prisoners here in England sent over to France: and by that means he got into the method of sending intelligence thither. He, when seized on, either upon remorse or the hopes of pardon, confessed all, and signed his confession: upon that he was tried; he pleaded guilty, and was condemned as a traitor, for corresponding with the queen's enemies. At the same time Valiere and Bara, whom Harley had employed, as his spies, to go often over to Calais, under the pretence of bringing him intelligence, were informed against, as spies employed by France to get intelligence from England, who carried over many letters to Calais and Boulogne, and, as was believed, gave such information of our trade and convoys, that, by their means, we had made our great losses at sea. They were often complained of upon suspicion, but they were always protected by Harley; yet the presumptions against them were so violent, that they were at last seized on and brought up prisoners. These accidents might make Harley more earnest to bring about a change in the conduct of affairs, in which he relied on the credit of the new favourite. The duke of Marlborough and the lord treasurer, having discovered many of his practices, laid them before the queen. She would believe nothing that was suggested to his prejudice. She denied she had given any authority for carrying messages to the tories; but would not believe that he or his friends had done it, nor would she enter into any examination of his ill conduct, and was uneasy when she heard it spoken of. So these lords wrote to the queen, that they could serve her no longer, if he was continued in that post; and on the Sunday following, when they were summoned to a cabinet council, they both went to the queen, and told her they must quit her service, since they saw she was resolved not to part with Harley. She seemed not much concerned at the lord Godolphin's offering to lay down, and it was believed to be a part of Harley's new scheme to remove him; but she was much touched with the duke of Marlborough's offering to quit, and studied, with some soft expressions, to divert him from that resolution; but he was firm and she did not yield to them. So they both went away, to the wonder of the whole court. Immediately after, the queen went to the cabinet council, and Harley opened some matters relating to foreign affairs. The whole board was very uneasy: the duke of Somerset said he did not see how they



could deliberate on such matters, since the general was not with them ; he repeated this with some vehemence, while all the rest looked so cold and sullen that the cabinet council was soon at an end ; and the queen saw that the rest of her ministers and the chief officers were resolved to withdraw from her service, if she did not recall the two that had left it. It was said that she would have put all to the hazard, if Harley himself had not apprehended his danger and resolved to lay down. The queen sent the next day for the duke of Marlborough, and, after some expostulations, she told him Harley should immediately leave his post, which he did within two days. But the queen seemed to carry a deep resentment of his and the lord Godolphin's behaviour on this occasion ; and though they went on with her business, they found they had not her confidence. The duchess of Marlborough did, for some weeks, abstain from going to court, but afterwards that breach was made up in appearance, though it was little more than an appearance. Both houses of parliament expressed a great concern at this rupture in the court, and apprehended the ill effects it might have : the commons let the bill of supply lie on the table, though it was ordered for that day ; and the lords ordered a committee to examine Gregg and the other prisoners. As Harley laid down, both Harcourt, then attorney-general, Mansel, the comptroller of the household, and St. John, the secretary of war, went and laid down with him. The queen took much time to consider how she should fill some of these places ; but Mr. Boyle, uncle to the earl of Burlington, was presently made secretary of state\*.

The lords who were appointed to examine Gregg could not find out much by him ; he had but newly begun his designs of betraying secrets, and he had no associates with him in it. He told them that all the papers of state lay so carelessly about the office, that every one belonging to it, even the door-keepers, might have read them all. Harley's custom was to come to the office late on post-nights, and after he had given his orders and written his letters, he usually went away, and left all to be copied out when he was gone. By that means he came to see every thing, in particular the queen's letter to the emperor. He said, he knew the design on Toulon in May last, but he did not discover it ; for he had not entered on his ill practices till October : this was all he could say. By the examination of Valiere and Bara, and of many others who lived about Dover and were employed by them, a discovery was made of a constant intercourse they were in with Calais under Harley's protection : they often went over with boats full of wool, and brought back brandy, though both the import and export were severely prohibited : they, and those who belonged to the boats carried over by them, were well treated on the French side, at the governor's house, or at the commissary's ; they were kept there till their letters could be sent to Paris, and till returns could be brought back, and were all the while upon free cost. The order that was constantly given them was, that if an English or Dutch ship came up to them, they should cast their letters into the sea ; but that they should not do it when French ships came up to them : so they were looked on by all on that coast as the spies of France. They used to get what information they could, both of merchant ships and of the ships of war that lay in the downs ; and upon that they usually went over, and it happened that soon after some of those ships were taken. These men, as they were papists, so they behaved themselves very insolently, and boasted much of their power and credit. Complaints had been often made of them, but they were always protected ; nor did it appear that they ever brought any information of importance to Harley but once, when, according to what they swore, they told him that Fourbin was gone from Dunkirk to lie in wait for the Russian fleet, which proved to be true : he both went to watch for them, and he took a great part of the fleet. Yet, though this was the single piece of intelligence that they ever brought, Harley took so little notice of it, that he gave no advertisement to the admiralty concerning it. This particular excepted, they only brought over common news and the Paris gazettes. These examinations lasted for some weeks ; when they were ended, a full report was made of them to the house of lords ; and they ordered the whole report, with all the examinations, to be

\* He was then chancellor of the exchequer, and particularly trusted by the lord treasurer. Mr. Speaker Onslow gives him a very high character for disinterestedness, talents, and modesty. Yet in the hour of need he

was firm and manly. Such a character naturally gave him great influence and the above authority says, it was far beyond what any other public person acquired in their times.—Oxford ed. of this work.

laid before the queen in an address, in which they represented to her the necessity of making Gregg a public example : upon which he was executed. He continued to clear all other persons of any accession to his crimes, of which he seemed very sensible, and died much better than he had lived\*.

A very few days after the breach that had happened at court, we were alarmed from Holland with the news of a design, of which the French made then no secret, that they were sending the pretended prince of Wales to Scotland, with a fleet and an army, to possess himself of that kingdom. But before I go further I will give an account of all that related to the affairs of that part of the island.

The members sent from Scotland to both houses of parliament were treated with very particular marks of respect and esteem ; and they were persons of such distinction that they very well deserved it. The first thing proposed in the house of commons, with relation to them, was to take off the stop that was put on their trade. It was agreed unanimously to pray the queen, by an address, that she would give order for it ; some debate arising only whether it was a matter of right, or of favour. Harley pressed the last, to justify those proceedings, in which he himself had so great a share, as was formerly set forth, and on which others made severe reflections ; but, since all agreed in the conclusion, the dispute concerning the premises was soon let fall. After this, a more important matter was proposed, concerning the government of Scotland, whether it should continue in a distinct privy council, or not. All the court was for it : those who governed Scotland desired to keep up their authority there, with the advantage they made by it ; and they gave the ministers of England great assurances that, by their influence, elections might be so managed as to serve all the ends of the court ; but they said, that, without due care, these might be carried so as to run all the contrary way. This was the secret motive, yet this could not be owned in a public assembly ; so that which was pretended was, that many great families in Scotland, with the greatest part of the Highlanders, were so ill affected that, without a watchful eye, ever intent upon them, they could not be kept quiet : it lay at too great a distance from London to be governed by orders sent from thence. To this it was answered, that by the circuits of the judiciary courts, and by justices of peace, that country might be well governed, notwithstanding its distance, as Wales and Cornwall were. It was carried, upon a division, by a great majority, that there should be only one privy council for the whole island. When it was sent up to the lords, it met with a great opposition there : the court stood alone : all the tories and the much greater part of the whigs were for the bill. The court, seeing the party for the bill so strong, was willing to compound the matter ; and whereas, by the bill, the council of Scotland was not to sit after the first of May, the court moved to have it continued to the first of October. It was visible that this was proposed only in order to the managing elections for the next parliament ; so the lords adhered to the day prefixed in the bill. But a new debate arose about the power given by the bill to the justices of peace, which seemed to be an encroachment on the jurisdiction of the lords regalties, and of the hereditary sheriffs and stewards, who had the right of trying criminals, in the first instance, for fourteen days' time ; yet it was ordinary, in the cases of great crimes and riots, for the privy council to take immediate cognizance of them, without any regard to the fourteen days : so, by this act, the justices of peace were only empowered to do that which the privy council usually did : and, except the occasion was so great as to demand a quick dispatch, it was not to be doubted but that the justices of peace would have great regard to all private rights ; yet, since this had the appearance of breaking in upon private rights, this was much insisted on by those who hoped, by laying aside these powers given to the justices of the peace, to have gained the main point of keeping up a privy council in Scotland ; for all the Scotch ministers said, the country would be in great danger, if there were not a supreme government still kept up in it. But it seemed an absurd thing, that there should be a different administration where there was but one legislature. While Scotland

\* He most fully acquitted Harley ; and this statesman, it appears, with commendable kindness, allowed the widow fifty pounds annually out of his private purse. Gregg delivered to the clergyman, at the time of his exe-

cution, a paper, exculpatory of those who were suspected of being concerned with him.—Oxford ed. of this work ; Ralph's Answer to the Duchess of Marlborough ; Nos. 32 and 40 of the Examiner, written by Swift.

had an entire legislature within itself, the nation assembled in parliament could procure the correction of errors in the administration : whereas, now that it was not a tenth part of the legislative body, if it was still to be kept under a different administration, that nation could not have strength enough to procure a redress of its grievances in parliament, so they might come to be subdued and governed as a province. And the arbitrary way in which the council of Scotland had proceeded ever since king James the First's time, but more particularly since the restoration, was fresh in memory, and had been no small motive to induce the best men of that nation to promote the union, that they might be delivered from the tyranny of the council : and their hopes would be disappointed, if they were still kept under that yoke. This point was in conclusion yielded, and the bill passed, though to the great discontent of the court. There was a new court of exchequer created in Scotland, according to the frame of that court in England : special acts were made for the elections and the returns of the representatives in both houses of parliament : and such was the disposition of the English to oblige them, and the behaviour of the Scots was so good and discreet, that every thing that was proposed for the good of their country was agreed to ; both whigs and tories vied with one another, who should show most care and concern for the welfare of that part of Great Britain.

On the twentieth of February, which was but a few days after the act, dissolving the council in Scotland, had passed, we understood there was a fleet prepared in Dunkirk, with about twelve battalions and a train of all things necessary for a descent in Scotland : and a few days after, we heard that the pretended prince of Wales was come from Paris, with all the British and Irish that were about him, in order to his embarkation. The surprise was great, for it was not looked for, nor had we a prospect of being able to set out in time a fleet able to deal with theirs, which consisted of twenty-six ships, most of them of above forty guns. But that Providence (which has, on all occasions, directed matters so happily for our preservation) did appear very signally in this critical conjuncture. Our greatest want was of seamen to man the fleet, for the ships were ready to be put to sea : this was supplied by several fleets of merchant ships that came home at that time with their convoys. The flag-officers were very acceptable to the seamen, and they bestirred themselves so effectually, that, with the help of an embargo, there was a fleet of above forty ships got ready in a fortnight's time, to the surprise of all at home, as well as abroad. These stood over to Dunkirk just as they were embarking there. Upon the sight of so great a fleet, Fourbin, who commanded the French fleet, sent to Paris for new orders. He himself was against venturing out, when they saw a superior fleet ready to engage, or to pursue, them. The king of France sent positive orders to prosecute the design. So Fourbin (seeing that our fleet, after it had showed itself to them, finding the tides and sea run high, as being near the equinox, had sailed back into the Downs) took that occasion to go out of Dunkirk on the eighth of March : but contrary winds kept him on that coast till the eleventh, and then he set sail with a fair wind. Our admiral, sir George Byng, came over again to watch his motions ; and as soon as he understood that he had sailed, which was not till twenty hours after, he followed him. The French designed to have landed in the Frith, but they outsailed their point a few leagues ; and, by the time that they had got back to the north side of the Frith, Byng came to the south side of it, and gave the signal for coming to an anchor. This was heard by Fourbin : he had sent a frigate into the Frith to give signals, which it seems had been agreed on, but no answers were made. The design was to land near Edinburgh, where they believed the castle was in so bad a condition, and so ill provided, that it must have surrendered upon summons ; and they reckoned, that upon the reputation of that, the whole body of the kingdom would have come in to them. But when Fourbin understood, on the thirteenth of March, that Byng was so near him, he tacked, and would not stay to venture an engagement. Byng pursued him with all the sail that he could make, but the French stood out to sea : there was some firing on the ships that sailed the heaviest, and the *Salisbury*, a ship taken from us, and then their vice-admiral, was engaged by two English ships, and taken without any resistance\*. There were about five hundred landmen on board her,

\* There is no doubt but that there was an extensive as the French forces landed.—(Colonel Hooke's Memoirs put in Scotland to rise in favour of the pretender as soon &c., published in 1760.) The affairs of Scotland were



with some officers and persons of quality; the chief of these were the lord Griffin and the earl of Middleton's two sons. Bing (having lost sight of the French, considering that the Frith was the station of the greatest importance, as well as safety, and was the place where they designed to land) put in there, till he could hear what course the French steered. The tides ran high, and there was a strong gale of wind. Upon the alarm of the intended descent, orders were sent to Scotland to draw all their forces about Edinburgh. The troops that remained in England were ordered to march to Scotland, and the troops in Ireland were ordered to march northward, to be ready when called for; there were also twelve battalions sent from Ostend under a good convoy, and they lay at the mouth of the Tyne till further orders. Thus all preparations were made to dissipate that small force. But it appeared that the French relied chiefly on the assistance that they expected would have come in to them upon their landing. Of this they seemed so well assured, that the king of France sent instructions to his ministers in all the courts that admitted of them, to be published every where, that the pretended prince being invited by his subjects, chiefly those of Scotland, to take possession of the throne of his ancestors, the king had sent him over at their desire, with a fleet and army to assist him: that he was resolved to pardon all those who should come in to him, and he would trouble none upon the account of religion: upon his being re-established, the king would give peace to the rest of Europe. When these ministers received these directions, they had likewise advice sent them, which they published both at Rome, Venice, and in Switzerland, that the French had, before this expedition was undertaken, sent over some ships with arms and ammunition to Scotland; and that there was already an army on foot there, that had proclaimed this pretended prince king. It was somewhat extraordinary to see such eminent falsehoods published all Europe over. They also affirmed that hostages were sent from Scotland to Paris, to secure the observing the engagements they had entered into: though all this was fiction and contrivance.

The States were struck with great apprehensions, so were all the allies; for though they were so long accustomed to the cunning practices of the court of France, yet this was an original; and therefore it was generally concluded that so small an army, and so weak a fleet would not have been sent, but upon great assurances of assistance, not only from Scotland but from England. And upon this occasion severe reflections were made, both on the conduct of the admiralty, and on that tract of correspondence lately discovered, that was managed under Harley's protection, and on the great breach that was so near the disjoining all our affairs but a few days before. These things, when put together, filled men's minds with thoughts of no easy digestion.

The parliament was sitting, and the queen, in a speech to both houses, communicated to them the advertisements she had received. Both houses made addresses to her, giving her full assurance of their adhering stedfastly to her, and to the protestant succession; and mixed with these, broad intimations of their apprehensions of treachery at home. They passed also two bills: the one, that the abjuration might be tendered to all persons, and that such as refused it should be in the condition of convict recusants; by the other, they suspended the Habeas Corpus act till October, with relation to persons taken up by the government upon suspicion. And the house of commons, by a vote, engaged to make good to the queen all the extraordinary charge this expedition might put her to.

A fortnight went over before we had any news of the French fleet. Three of their ships landed near the mouth of the Spey, only to refresh themselves; for the ships being so filled with landmen, there was a great want of water. At last all their ships got safe into Dunkirk. The landmen either died at sea, or were so ill, that all the hospitals in Dunkirk were filled with them. It was reckoned that they lost above four thousand men in this unaccountable expedition; for they were above a month tossed in a very tempestuous sea. Many suspected persons were taken up in Scotland, and some few in England; but further discoveries of their correspondents were not then made. If they had landed, it might have had an ill

most culpably neglected, to say no worse, at this time. Lord Hardwicke, from good authority, has related, that when lord Mar, as secretary of state for Scotland, informed lord Godolphin and the duke of Marlborough of the dis-

persion of the French fleet; the latter nobleman was silent, and the other only said, lifting up his eyes, "Well! man proposes, and God disposes."—Oxford ed. of this work.

effect on our affairs, chiefly with relation to all paper credit : and if, by this, the remittances to Piedmont, Catalonia, and Portugal, had been stopped in so critical a season, that might have had fatal consequences abroad. For if we had been put into such a disorder at home, that foreign princes could no more reckon on our assistance, they might have been disposed to hearken to the propositions that the king of France would then have probably made to them. So that the total defeating of this design, without its having the least ill effect on our affairs, or our losing one single man in the little engagement we had with the enemy, is always to be reckoned as one of those happy providences for which we have much to answer.

The queen seemed much alarmed with this matter, and saw with what falsehoods she had been abused, by those who pretended to assure her there was not now a jacobite in the nation. One variation in her style was now observed : she had never, in any speech, mentioned the revolution, or those who had been concerned in it ; and many of those who made a considerable figure about her studied, though against all sense and reason, to distinguish her title from the revolution : it was plainly founded on it, and on nothing else. In the speeches she now made, she named the revolution twice, and said she would look on those concerned in it as the surest to her interests. She also fixed a new designation on the pretended prince of Wales, and called him the Pretender ; and he was so called in a new set of addresses, which, upon this occasion, were made to the queen. And I intend to follow the precedent as often as I may have occasion hereafter to mention him. The session of parliament was closed in March, soon after defeating the design of a descent. It was dissolved in April by proclamation, and the writs were issued out for the elections of a new parliament, which raised that ferment over the nation that was usual on such occasions. The just and visible dangers to which the attempt of the invasion had exposed the nation produced very good effects ; for the elections did, for the most part, fall on men well affected to the government, and zealously set against the pretender.

As soon as the state of affairs at home was well settled, the duke of Marlborough went over to Holland, and there prince Eugene met him, being sent by the emperor to concert with him and the States the operations of the campaign. From the Hague they both went to Hanover, to settle all matters relating to the empire, and to engage the elector to return to command the army on the Upper Rhine. Every thing was fixed. Prince Eugene went back to Vienna, and was obliged to return by the beginning of June ; for the campaign was then to be opened every where.

The court of France was much mortified by the disappointment they had met with in their designs against us ; but, to put more life in their troops, they resolved to send the duke of Burgundy with the duke of Berry to be at the head of their army in Flanders. The pretender went with them, without any other character than that of the chevalier de St. George. The elector of Bavaria with the duke of Berwick were sent to command in Alsace, and marshal Villars was sent to head the forces in Dauphiny. The credit, with relation to money, was still very low in France : for, after many methods taken for raising the credit of the mint-bills, they were still at a discount of 40 per cent. No fleets came this year from the West Indies, so that they could not be supplied from thence.

The duke of Orleans was sent to command in Spain ; and, according to the vanity of that nation, it was given out that they were to have mighty armies in many different places, and to put an end to the war there. Great rains fell all the winter in all the parts of Spain, so that the campaign could not be so soon opened as it was at first intended. The bills that the duke of Orleans brought with him to Spain were protested, at which he was so much displeased, that he desired to be recalled. This was remedied in some degree, though far short of what was promised to him. The troops of Portugal, that lay at Barcelona ever since the battle of Almanza, were brought about by a squadron of our ships to the defence of their own country. Sir John Leak came also over thither from England, with recruits and other supplies that the queen was to furnish that crown with ; and when all was landed, he sailed into the Mediterranean, to bring over troops from Italy, for the strengthening of king Charles, whose affairs were in great disorder.

After all the boasting of the Spaniards, their army on the side of Portugal was so weak

that they could not attempt anything : so this was a very harmless campaign on both sides, the Portuguese not being much stronger. The duke of Orleans sat down before Tortosa in June, and though Leak dissipated a fleet of tartanes, sent from France to supply his army, and took about fifty of them, which was a very seasonable relief to those in Barcelona ; upon which it was thought the siege of Tortosa would be raised ; yet it was carried on till the last of June, and then the garrison capitulated.

Leak sailed to Italy, and brought from thence both the new queen of Spain and eight thousand men with him ; but, by reason of the slowness of the court of Vienna, these came too late to raise the siege of Tortosa. The snow lay so long on the Alps, that the duke of Savoy did not begin the campaign till July ; then he came into Savoy, of which he possessed himself without any opposition. The whole country was under a consternation as far as Lyons.

On the Upper Rhine, the two electors continued looking on one another without venturing on any action ; but the great scene was laid in Flanders. The French princes came to Mons, and there they opened the campaign, and advanced to Soignies, with an army of an hundred thousand men. The duke of Marlborough lay between Enghien and Hal with his army, which was about eighty thousand.

The French had their usual practices on foot in several towns in those parts. A conspiracy to deliver Antwerp to them was discovered and prevented. The truth was, the Dutch were severe masters, and the Flandrians could not bear it. Though the French had laid heavier taxes on them, yet they used them better in all other respects. Their bigotry, being wrought on by their priests, disposed them to change masters, so these practices succeeded better in Ghent and Bruges. The duke of Marlborough resolved not to weaken his army by many garrisons ; so he put none at all in Bruges, and a very weak one in the citadel of Ghent, reckoning that there was no danger as long as he lay between those places and the French army. The two armies lay about a month looking on one another, shifting their camps a little, but keeping still in safe ground, so that there was no action all the while. But near the end of June some bodies drawn out of the garrisons about Ypres came and possessed themselves of Bruges, without any opposition ; and the garrison in Ghent was too weak to make any resistance, so they capitulated and marched out. Upon this the whole French army marched towards those places, hoping to have carried Oudenarde in their way.

The duke of Marlborough followed so quick, that they drew off from Oudenarde as he advanced. In one day, which was the last of June, he made a march of five leagues, passed the Scheld without any opposition, came up to the French army, and engaged them in the afternoon. They had the advantage both of numbers and of ground ; yet our men beat them from every post, and, in an action that lasted six hours, we had such an entire advantage, that nothing but the darkness of the night and weariness of our men saved the French army from being totally ruined. There were about five thousand killed and about eight thousand made prisoners (of whom one thousand were officers), and about six thousand more deserted ; so that the French lost at least twenty thousand men, and retired in great haste and in greater confusion to Ghent. On the confederates' side, there were about one thousand killed and two thousand wounded ; but our army was so wearied, with a long march and a long action, that they were not in a condition to pursue with that haste that was to be desired : otherwise great advantages might have been made of this victory. The French posted themselves on the great canal that runs from Ghent to Bruges. Prince Eugene's army of about thirty thousand men was now very near the great army, and joined it in a few days after this action ; but he himself was come up before them, and had a noble share in the victory, which, from the neighbourhood of that place, came to be called the battle of Oudenarde.

The French had recovered themselves out of their first consternation during that time, which was necessary to give our army some rest and refreshment ; and they were so well posted, that it was not thought fit to attack them. Great detachments were sent as far as to Arras, to put all the French countries under contribution, which struck such a terror



every where, that it went as far as to Paris. Our army could not block up the enemy's on all sides, the communication with Dunkirk by Newport was still open, and the French army was supplied from thence. They made an invasion into the Dutch Flanders: they had no great cannon, so they could take no place; but they destroyed the country with their usual barbarity.

In conclusion the duke of Marlborough, in concert with prince Eugene and the States, resolved to besiege Lisle, the capital town of the French Flanders. It was a great, a rich, and a well fortified place, with a very strong citadel. It had been the first conquest the French king had made, and it was become, next to Paris, the chief town of his dominions. Marshal Boufflers threw himself into it, with some of the best of the French troops. The garrison was at least twelve thousand strong, some called it fourteen thousand. Prince Eugene undertook the conduct of the siege, with about thirty thousand men, and the duke of Marlborough, with the rest of the army, lay on the Scheld at Pont-Esperies, to keep the communication open with Brussels. Some time was lost before the great artillery could be brought up: it lay at Sas van Ghent, to have been sent up the Lys, but now it was to be carried about by Antwerp to Brussels, and from thence by land-carriages to the camp, which was a long and a slow work: in that some weeks were lost, so that it was near the end of August before the siege was begun. The engineers promised the States to take the place within a fortnight after the trenches were opened, but the sequel showed that they reckoned wrong. There were some disputes among them: errors were committed by those who were in greatest credit, who thought the way of sap the shortest, as well as the surest, method; yet, after some time lost in pursuing this way, they returned to the ordinary method. Boufflers made a brave and a long defence. The duke of Burgundy came with his whole army so near ours, that it seemed he designed to venture another battle rather than lose so important a place; and the duke of Marlborough was for some days in a posture to receive him; but when he saw that his whole intention in coming so near him was only to oblige him to be ready for an action, without coming to any, and so to draw off a great part of those bodies that carried on the siege, leaving only as many as were necessary to maintain the ground they had gained, he drew a line before his army, and thought only of carrying on the siege; for while he looked for an engagement no progress was made in that.

After some days the French drew off, and fell to making lines along the Scheld, but chiefly about Oudenarde, that they might cut off the communication between Brussels and our camp, and so separate our army from all intercourse with Holland. The lines were about seventy miles long, and in some places, near Oudenarde, they looked more like the ramparts of a fortified place than ordinary lines: on these they laid cannon, and posted the greater part of their army upon them, so that they did effectually stop all communication by the Scheld. Upon which the States ordered all that was necessary, both for the army and for the siege, to be sent to Ostend. And if the French had begun their designs with the intercepting this way of conveyance, the siege must have been raised for want of ammunition to carry it on.

About this time six thousand men were embarked at Portsmouth, in order to be sent over to Portugal; but they were ordered to lie for some time on the coast of France, all along from Boulogne to Dieppe, in order to force a diversion, we hoping that this would oblige the French to draw some of their troops out of Flanders, for the defence of their coast. This had no great effect, and the appearance that the French made gave our men such apprehensions of their strength, that though they once began to land their men, yet they soon returned back to their ships. But as their behaviour was not a little censured, so the state of the war in Flanders made it necessary to have a greater force at Ostend. They were upon this ordered to come and land there. Earl, who commanded them, came out and took a post at Leffingen, that lay on the canal which went from Newport to Bruges, to secure the passage of a great convoy of eight hundred waggons, that were to be carried from Ostend to the army. If that had been intercepted, the siege must have been raised; for the duke of Marlborough had sent some ammunition from his army to carry on the siege, and he could spare no more. He began to despair of the undertaking, and so prepared his friends to look

for the raising the siege, being in great apprehensions concerning this convoy; upon which the whole success of this enterprise depended. He sent Webb with a body of six thousand men to secure the convoy.

The French, who understood well of what consequence the convoy was, sent a body of twenty thousand men with forty pieces of cannon, to intercept it. Webb, seeing the inequality between his strength and the enemy's, put his men into the best disposition he could. There lay coppices on both sides of the place where he posted himself, he lined these well, and stood still for some hours, while the enemy cannonaded him, he having no cannon to return upon them. His men lay flat on the ground till that was over. But when the French advanced our men fired upon them, both in front and from the coppices, with that fury, and with such success, that they began to run; and though their officers did all that was possible to make them stand, they could not prevail; so, after they had lost about six thousand men, they marched back to Bruges. Webb durst not leave the advantageous ground he was in to pursue them, being so much inferior in number. So unequal an action, and so shameful a flight, with so great loss, was looked on as the most extraordinary thing that had happened during the whole war: and it encouraged the one side as much as it dispirited the other. Many reproaches passed on this occasion, between the French and the Spaniards; the latter, who had suffered the most, blaming the former for abandoning them. This, which is the ordinary consequence of all great misfortunes, was not soon quieted\*.

The convoy arriving safe in the camp put new life in our army. Some other convoys came afterwards, and were brought safe; for the duke of Marlborough moved with his whole army to secure their motions, nor did the enemy think fit to give them any disturbance for some time. By the means of these supplies, the siege was carried on so effectually that, by the end of October, the town capitulated; mareschal Boufflers retiring into the citadel with six thousand men. The French saw of what importance the communication by Ostend was to our army, which was chiefly maintained by the body that was posted at Leffingen; so they attacked that with a very great force. The place was weak of itself, but all about was put under water, so it might have made a longer resistance. It was too easily yielded up by those within it, who were made prisoners of war. Thus the communication with Ostend was cut off, and upon that the French flattered themselves with the hopes of starving our army, having thus separated it from all communication with Holland: insomuch that it was reported the duke of Vendome talked of having our whole forces delivered into his hands as prisoners of war, for want of bread and other necessaries. It is true, the duke of Marlborough sent out great bodies, both into the French Flanders and into the Artois, who brought in great stores of provisions; but that could not last long.

The French army lay all along the Scheld, but had sent a great detachment to cover the Artois; all this while there was a great misunderstanding between the duke of Burgundy and the duke of Vendome: the latter took so much upon him, that the other officers complained of his neglecting them; so they made their court to the duke of Burgundy, and laid the blame of all his miscarriages on Vendome. He kept close to the orders he had from Versailles, where the accounts he gave, and the advices he offered, were more considered than those that were sent by the duke of Burgundy. This was very uneasy to him, who was impatient of contradiction, and longed to be in action, though he did not show the forwardness, in exposing his own person, that was expected: he seemed very devout, even to bigotry; but by the accounts we had from France, it did appear, that his conduct during the campaign gave no great hopes or prospect from him, when all things should come into his hands: Chamillard was often sent from court to soften him, and to reconcile him to the duke of Vendome, but with no effect.

The elector of Bavaria had been sent to command on the Upper Rhine: the true reason was believed, that he might not pretend to continue in the chief command in Flanders: he was put in hopes of being furnished with an army so strong, as to be able to break through

\* People acquainted with general Webb soon were wearied of his victory, and his vanity. He was telling the duke of Argyle some anecdotes of the action, for the twentieth time:—"I was wounded," said the egotist,

"four times—" "I wish, dear general," replied the duke, "you had received one in your tongue, for then you would have left others to relate your deeds of valour." —Sir R. Onslow in the Oxford ed. of this work.

into Bavaria. The elector of Hanover did again undertake the command of the army of the empire: both armies were weak; but they were so equally weak, that they were not able to undertake any thing on either side: so after some months, in which there was no considerable action, the forces on both sides went into winter quarters. Then the court of France, believing that the elector of Bavaria was so much beloved in Brussels, that he had a great party in the town, ready to declare for him, ordered an army of fourteen thousand men, with a good train of artillery, to be brought together, and with that body he was sent to attack Brussels; in which there was a garrison of six thousand men. He lay before the town five days; in one of these he attacked it with great fury: he was once master of the counterscarp, but he was soon beaten out of it: and though he repeated his attacks very often, he was repulsed in them all.

The duke of Marlborough hearing of this, made a sudden motion towards the Scheld: but to deceive the enemy, it was given out, that he designed to march directly towards Ghent, and this was believed by his whole army, and it was probably carried to the enemy; for they seemed to have no notice nor apprehension of his design on the Scheld: he advanced towards it in the night, and marched with the foot very quick, leaving the horse to come up with the artillery: the lines were so strong, that it was expected, that in the breaking through them, there must have been a very hot action: some of the general officers told me, that they reckoned it would have cost them at least ten thousand men; but to their great surprise, as soon as they passed the river, the French ran away, without offering to make the least resistance: and they had drawn off their cannon the day before. Our men were very weary with the night's march, so they could not pursue; for the horse were not come up, nor did the garrison of Oudenarde sally out; yet they took a thousand prisoners. Whether the notice of the feint, that the duke of Marlborough gave out of his design on Ghent, occasioned the French drawing off their cannon, and their being so secure, that they seemed to have no apprehensions of his true design, was not yet certainly known: but the abandoning those lines, on which they had been working for many weeks, was a surprise to all the world: their counsels seemed to be weak, and the execution of them was worse; so that they, who were so long the terror, were now become the scorn of the world.

The main body of their army retired to Valenciennes; great detachments were sent to Ghent and Bruges: as soon as the elector of Bavaria had the news of this unlooked-for reverse of their affairs, he drew off from Brussels with such precipitation, that he left his heavy cannon and baggage, with his wounded men behind him; so this design, in which three thousand men were lost, came soon to an end. Those who thought of presages, looked on our passing the lines on the same day, in which the parliament of England was opened, as a happy one. Prince Eugene had marched, with the greatest part of the force that lay before Lisle (leaving only what was necessary to keep the town, and to carry on the sap against the citadel) to have a share in the action that was expected in forcing the lines; but he came quickly back, when he saw there was no need of him, and that the communication with Brussels was opened.

The siege of the citadel was carried on in a slow but sure method: and when the besiegers had lodged themselves in the second counterscarp, and had raised all their batteries, so that they were ready to attack the place in a formidable manner; mareschal Boufflers thought fit to prevent that by a capitulation. It was now near the end of November; so he had the better terms granted him; for it was resolved, as late as it was in the year, to reduce Ghent and Bruges, before this long campaign should be concluded: he marched out with five thousand men, so that the siege had cost those within as many lives as it did the besiegers, which were nearly eight thousand.

This was a great conquest; the noblest, the richest, and the strongest town in those provinces, was thus reduced; and the most regular citadel in Europe, fortified and furnished at a vast expense, was taken without firing one cannon against it. The garrison was obliged to restore to the inhabitants all that had been carried into the citadel, and to make good all the damages that had been done the town, by the demolishing of houses, while they were preparing themselves for the siege. All the several methods the French had used, to give a diversion, had proved ineffectual; but that, in which the observers of Providence rejoice most,



was the signal character of a particular blessing on this siege : it was all the whole time a rainy season, all Europe over, and in all the neighbouring places ; yet during the siege of the town, it was dry and fair about it : and on those days of capitulation, in which time was allowed for the garrison to march into the citadel, it rained ; but as soon as these were elapsed, so that they were at liberty to besiege the citadel, fair weather returned, and continued till it was taken.

From Lisle, the army marched to invest Ghent, though it was late in the year ; for it was not done before December : the French boasted much of their strength, and they had, by some new works, made a show of designing an obstinate resistance. They stood it out, till the trenches were far advanced, and the batteries were finished, so that the whole train of artillery was mounted : when all was ready to fire on the town, the governor, to save both that and his garrison, thought fit to capitulate : he had an honourable capitulation, and a general amnesty was granted to the town, with a new confirmation of all their privileges. The burghers did not deserve so good usage ; but it was thought fit to try how far gentle treatment could prevail on them, and overcome their perverseness : and indeed it may be thought that they had suffered so much by their treachery, that they were sufficiently punished for it : Ghent was delivered to the duke of Marlborough on the last of December N. S., so gloriously was both the year and the campaign finished at once ; for the garrison that lay at Bruges, and in the forts about it, withdrew without staying for a summons. These being evacuated, the army was sent into winter quarters.

It had not been possible to have kept them in the field much longer ; for within two or three days after, there was a great fall of snow, and that was followed by a most violent frost, which continued the longest of any in the memory of man : and though there were short intervals, of a few days of thaw, we had four returns of an extreme frost, the whole lasting about three months. Many died in several parts, by the extremity of the cold ; it was scarcely possible to keep the soldiers alive, even in their quarters ; so that they must have perished, if they had not broken up the campaign, before this hard season. This coming on so quick, after all that was to be done abroad was effectuated, gave new occasions to those who made their remarks on Providence, to observe the very great blessings of this conjuncture, wherein every thing that was designed was happily ended just at the critical time that it was become necessary to conclude the campaign : and indeed the concurrence of those happy events, that had followed us all this year, from the pretender's first setting out from Dunkirk, to the conclusion of it, was so signal, that it made great impressions on many of the chief officers, which some owned to myself ; though they were the persons from whom I expected it least.

The campaign in Spain was more equally balanced : the duke of Orleans took Tortosa ; Denia was also forced to capitulate, and the garrison were made prisoners of war. But these losses by land were well made up by the successes of our fleet : Sardinia was reduced, after a very feeble and short struggle : the plenty of the island made the conquest the more considerable at that time, for in Catalonia they were much straitened for want of provisions, which were now supplied from Sardinia. Towards the end of the campaign, the fleet, with a thousand land-men on board, came before Minorca, and in a few days made themselves masters of that island, and of those forts that commanded Port Mahon, the only valuable thing in that island : all was carried after a very faint resistance, the garrisons showing either great cowardice, or great inclinations to king Charles. By this, our fleet had got a safe port to lie in and refit, and to retire into on all occasions ; for till then we had no place nearer than Lisbon : this was such an advantage to us, as made a great impression on all the princes and states in Italy.

At this time the pope began to threaten the emperor with ecclesiastical censures, and a war, for possessing himself of Commachio, and for taking quarters in the papal territories : he levied troops, and went often to review them, not without the affectation of shewing himself a general, as if he had been again to draw the sword, as St. Peter did : he opened Sixtus the Fifth's treasure, and took out of it five hundred thousand crowns for this service : many were afraid that this war should have brought the emperor's affairs into a new entanglement ; for the court of France laid hold of this rupture, and to inflame it, sent marshal Tessé to

Rome, to encourage the pope with great assurances of support. He was also ordered to try if the great duke, and the republics of Venice and Genoa, could be engaged in an alliance against the imperialists.

The emperor bore all the pope's threats with great patience, till the duke of Savoy ended the campaign; that duke, at the first opening of it, marched into Savoy, from whence it was thought his designs were upon Dauphiny. Villars was sent against him to defend that frontier; though he did all he could to decline that command: he drew all his forces together to cover Dauphiny; and by these motions, the passage into the Alps was now open: so the duke of Savoy secured that, and then marched back to besiege first Exilles, and then Fencestrella, two places strong by their situation, from whence excursions could have been made into Piedmont; so that in case of any misfortune in that duke's affairs, they would have been very uneasy neighbours to him: he took them both. The greatest difficulty in those sieges was from the impracticableness of the ground, which drew them out into such a length, that the snow began to fall by the time both were taken. By this means the Alps were cleared, and Dauphiny was now open to him: he was also master of the valley of Pragelas, and all things were ready for a greater progress in another campaign.

The emperor's troops, that were commanded by him, were, at the end of the season, ordered to march into the pope's territories, and were joined by some more troops, drawn out of the Milanese, and the Mantuan. The pope's troops began the war in a very barbarous manner; for while they were in a sort of a cessation, they surprized a body of the imperialists, and without mercy put them all to the sword; but as the imperial army advanced, the Papalins, or, as the Italians in derision called them, the Papagallians, fled every where before them, even when they were three to one. As they came on, the pope's territories and places were all cast open to them: Bologna, the most important, and the richest of them, capitulated; and received them without the least resistance. The people of Rome were uneasy at the pope's proceedings, and at the apprehensions of a new sack from a German army: they showed this so openly, that tumults there were much dreaded, and many cardinals declared openly against this war. The emperor sent a minister to Rome, to see if matters could be accommodated; but the terms proposed seemed to be of hard digestion, for the pope was required to acknowledge king Charles, and in every particular to comply with the emperor's demands.

The pope was amazed at his ill success, and at those high terms; but there was no remedy left; the ill state of affairs in France was now so visible, that no regard was had to the great promises, which mareschal Tessé was making, nor was there any hopes of drawing the princes and states of Italy into an alliance for his defence. In conclusion, the pope, after he had delayed yielding to the emperor's demands long enough to give the imperialists time to eat up his country, at last submitted to every thing; yet he delayed acknowledging king Charles for some months, though he then promised to do it; upon which the emperor drew his troops out of his territories. The pope turned over the manner of acknowledging king Charles, to a congregation of cardinals; but they had no mind to take the load of this upon themselves, which would draw an exclusion upon them from France, in every conclave; they left it to the pope, and he affected delays; so that it was not done till the end of the following year.

The affairs in Hungary continued in the same ill state in which they had been for some years; the emperor did not grant the demands of the diet that he had called; nor did he redress their grievances, and he had not a force strong enough to reduce the malcontents; so that his council could not fall on methods, either to satisfy, or to subdue them.

Poland continued still to be a scene of war and misery; to their other calamities, they had the addition of a plague, which laid some of their great towns waste: the party formed against Stanislaus, continued still to oppose him, though they had no king to head them: the king of Sweden's warlike humour possessed him to such a degree, that he resolved to march into Muscovy. The czar tried how far submissions and intercessions could soften him; but he was inflexible: he marched through the Ukrain, but made no great progress: the whole Muscovite force fell on one of his generals, that had about him only a part of his army, and gave him a total defeat, most of his horse being cut off. After that, we were, for

many months, without any certain news from those parts: both sides pretended they had great advantages; and as Stanislaus's interest carried him to set out and magnify the Swedish success, so the party that opposed him studied as much to raise the credit of the Muscovites: so that it was not yet easy to know what to believe further, than that there had been no decisive action throughout the whole year; nor was there any during the following winter.

Our affairs at sea were less unfortunate this year than they had been formerly: the merchants were better served with convoys, and we made no considerable losses. A squadron that was sent to the bay of Mexico, met with the galleons, and engaged them: if all (their) captains had done their duty, they had been all taken: some few fought well. The admiral of the galleons, which carried a great treasure, was sunk; the vice-admiral was taken, and the rear-admiral run himself ashore near Carthagena; the rest got away. The enemy lost a great deal by this action, though we did not gain so much as we might have done, if all our captains had been brave and diligent\*. Another squadron carried over the queen of Portugal, which was performed with great magnificence; she had a quick and easy passage. This did in some measure compensate to that crown for our failing them, in not sending over the supplies that we had stipulated; it was a particular happiness that the Spaniards were so weak, as not to be able to take advantage of the naked and unguarded state, in which the Portuguese were at this time.

In the end of October, George prince of Denmark died, in the fifty-sixth year of his age, after he had been twenty-five years and some months married to the queen: he was asthmatical, which grew on him with his years; for some time he was considered as a dying man, but the last year of his life, he seemed to be recovered, to a better state of health. The queen had been, during the whole course of her marriage, an extraordinarily tender and affectionate wife; and in all his illness, which lasted some years, she would never leave his bed; but sat up, sometimes half the night in the bed by him, with such care and concern, that she was looked on very deservedly as a pattern in this respect.

This prince had showed himself brave in war, both in Denmark and in Ireland: his temper was mild and gentle: he had made a good progress in mathematics: he had travelled through France, Italy, and Germany, and knew much more than he could well express; for he spoke acquired languages ill and ungracefully. He was free from all vice; he meddled little in business, even after the queen's accession to the crown: he was so gained to the tories by the act which they carried in his favour, that he was much in their interest: he was unhappily prevailed with to take on him the post of high-admiral, of which he understood little; but was fatally led by those who had credit with him, who had not all of them his good qualities, but had both an ill temper and bad principles: his being bred to the sea, gained him some credit in those matters. In the conduct of our affairs, as great errors were committed, so great misfortunes had followed on them: all these were imputed to the prince's easiness, and to his favourite's ill management and bad designs. This drew a very heavy load on the prince, and made his death to be the less lamented: the queen was not only decently, but deeply affected with it†.

\* Admiral sir Charles Wager commanded in this action, and acted most bravely. Mr. speaker Onslow, his friend, gives of him a very high character. Humanity, clearness of mind, calm courage, and the most plain, kind manners, under a rough exterior, characterised the man. His father was a captain in the navy, but dying when his son was young, the widow married a quaker, among whom the admiral being educated, his simple manners is in some degree accounted for. (Oxford ed. of this work.) He died in 1743, aged seventy-seven. One anecdote abundantly confirms Mr. Onslow's character of this noble Englishman. The widow of Henry Cromwell, youngest son of the protector, left her daughter at Fordham, sir Charles Wager's residence, the latter at the time observing, "I have purchased the estate this child is heir to; therefore I will educate and provide for her." A promise he strictly fulfilled.—Noble's Contin. of Granger, &c.

† This prince was born at Copenhagen in 1653. If he had possessed any superior talents, he would probably have been made king regnant, as were the husbands of the two Marys. The queen was fully aware of his weakness and indolence, therefore never permitted him to interfere in state affairs. Although educated for the sea service, it was very apparent that he was unfit to manage our maritime affairs. Bravery was an hereditary virtue in his family, and courage therefore was his most prominent superiority. He supported the tory party, perhaps, in gratitude for their having settled an annuity of 100,000*l.* upon him as long as he might survive his royal consort. He was too amiable to have any private enemies; and deserves some commendation for his patronage of the fine arts.

According to the earl of Dartmouth, this prince was the most indolent of all mankind. Charles the Second said



The earl of Pembroke was now advanced to the post of high-admiral; which he entered on with great uneasiness, and a just apprehension, of the difficulty of maintaining it well, in a time of war: he was at that time both lord president of the council, and lord lieutenant of Ireland. The earl of Wharton had the government of Ireland, and the lord Somers was made lord president of the council: the great capacity and inflexible integrity of this lord, would have made his promotion to this post very acceptable to the whigs, at any juncture, but it was most particularly so at this time; for it was expected that propositions for a general peace would be quickly made; and so they reckoned that the management of that, upon which not only the safety of the nation, but of all Europe, depended, was in sure hands, when he was set at the head of the councils, upon whom neither ill practices nor false colours were likely to make any impression. Thus the minds of all those who were truly zealous for the present constitution, were much quieted by this promotion; though their jealousies had a deep root, and were not easily removed.

The parliament was opened in the middle of November with great advantage; for the present ministry was now wholly such, that it gave an entire content to all who wished well to our affairs; and the great successes abroad silenced those who were otherwise disposed to find fault, and to complain. The queen did not think it decent for her to come to parliament during this whole session; so it was managed by a commission representing her person. Sir Richard Onslow was chosen speaker, without the least opposition: he was a worthy man, entirely zealous for the government; he was very acceptable to the whigs, and the tories felt that they had so little strength in this parliament, that they resolved to lie silent, and to wait for such advantages as the circumstances of affairs might give them\*. In the house of commons, the supplies that were demanded were granted very unanimously, not only for maintaining the force then on foot, but for an augmentation of ten thousand more: this was thought necessary to press the war with more force, as the surest way to bring on a speedy peace: the States agreed to the like augmentation on their side. The French, according to their usual vanity, gave out, that they had great designs in view for the next campaign: and it was confidently spread about by the jacobites, that a new invasion was designed, both on Scotland and on Ireland. At the end of the campaign, prince Eugene went to the court of Vienna, which obliged the duke of Marlborough to stay on the other side till he returned. Things went on in both houses, according to the directions given at court, for the court being now joined with the whigs, they had a clear majority in every thing: all elections were judged in favour of whigs and courtiers, but with so much partiality, that those who had formerly made loud complaints of the injustice of the tories, in determining elections, when they were a majority, were not so much as out of countenance when they were reproached for the same thing: they pretended they were in a state of war with the tories, so that it was reasonable to retaliate this to them, on the account of their former proceedings: but this did not satisfy just and upright men, who would not do to others that which they had complained of, when it was done to them, or to their friends. The house of commons voted a supply of seven millions for the service of the ensuing year; the land-tax, and the duty on malt, were readily agreed to; but it took some time to find funds for the rest that they had voted.

A petition, of a new nature, was brought before the lords, with relation to the election of the peers from Scotland: there was a return made in due form, but a petition was laid before

he had tried him both drunk and sober, but there was nothing in him. He was made a tool at the revolution, but king William treated him with contempt. When queen Anne came to the throne, she acted towards him similarly, though she would not allow others to neglect him in the least. All foreign princes despised him. He died at length of eating and drinking to excess. (Oxford edition of this work.) Little is known of his patrimony, which was some small islands belonging to the Danish crown, producing about 10,000*l.* a-year. These were mortgaged at the request of king William, to satisfy some pretensions of the Danes upon the duchy of Saxe-Lauenburg, and were never redeemed. Dying intestate, the

queen caused an inventory of his personal estate to be taken. It amounted to 37,932*l.* (of this she took half, and the other moiety was divided between the electoral house of Saxony, the royal families of Denmark and Sweden, and the family of the prince bishop of Lubec.—Noble's Contin. of Grainger.

\* Sir Richard Onslow was afterwards made lord Onslow; he died in 1717. He was descended from one of Cromwell's peers. His nickname, even among his own party, was "stiff Dick." Lord Dartmouth describes him as trifling, vain, and ridiculous in appearance. He was uncle to the Mr. Onslow, whose Notes are in the Oxford edition of this work.

the house in the name of four lords, who pretended that they ought to have been returned: the duke of Queensbury had been created a duke of Great Britain, by the title of duke of Dover, yet he thought he had still a right to vote as a peer of Scotland: he had likewise a proxy, so that two votes depended on this point, whether the Scotch peerage did sink into the peerage of Great Britain. Some lords, who were prisoners in the castle of Edinburgh, on suspicion, as favouring the pretender, had sent for the sheriff of Lothian to the castle, and had taken the oaths before him; and upon that, were reckoned to be qualified to vote or make a proxy; now it was pretended, that the castle of Edinburgh was a constabulary, and was out of the sheriff's jurisdiction; and that therefore he could not legally tender them the oaths: some proxies were signed, without subscribing witnesses, a form necessary by their law: other exceptions were also taken, from some rules of the law of Scotland, which had not been observed. The clerks being also complained of, they were sent for, and were ordered to bring up with them all instruments or documents relating to the election: when they came up, and every thing was laid before the house of lords, the whole matter was long and well debated.

As to the duke of Queensbury's voting among the Scotch lords, it was said, that if a peer of Scotland, being made a peer of Great Britain, did still retain his interest in electing the sixteen from Scotland, this would create a great inequality among peers; some having a vote by representation, as well as in person: the precedent was mischievous, since by the creating some of the chief families in Scotland, peers of Great Britain, they would be able to carry the whole election of the sixteen, as they pleased. It was objected, that by a clause in the act passed since the union, the peers of England (who were likewise peers of Scotland) had a right to vote, in the election of Scotland, still reserved to them, so there seemed to be a parity in this case with that: but it was answered, that a peer of England and a peer of Scotland held their dignity under two different crowns, and by two different great seals; but Great Britain, including Scotland as well as England, the Scotch peerage must now merge in that of Great Britain: besides, that there were but five, who were peers of both kingdoms, before the union; so that, as it might be reasonable to make provision for them, so was it of no great consequence; but if this precedent were allowed, it might go much further, and have very ill consequences. Upon a division of the house, the matter was determined against the duke of Queensbury.

A great deal was said both at the bar by lawyers, and in the debate in the house, upon the point of jurisdiction, and of the exemption of a constabulary: it was said, that the sheriff's court ought to be, as all courts were, open and free; and so could not be held within a castle or prison: but no express decision had ever been made in this matter. The prisoners had taken the oaths, which was the chief intent of the law, in the best manner they could; so that it seemed not reasonable to cut them off from the main privilege of peerage, that was reserved to them, because they could not go abroad to the sheriff's court: after a long debate, it was carried, that the oaths were duly tendered to them. Some other exceptions were proved and admitted, the returns of some, certifying that they had taken the oaths, were not sealed, and some had signed these, without subscribing witnesses: other exceptions were offered from provisions the law of Scotland had made, with relation to bonds and other deeds, which had not been observed in making of proxies: but the house of lords did not think these were of that importance, as to vacate the proxies on that account. So, after a full hearing, and a debate that lasted many days, there was but one of the peers that was returned, who was found not duly elected, and only one of the petitioning lords was brought into the house; the marquis of Annandale was received, and the marquis of Lothian was set aside.

The Scotch members in both houses were divided into factions: the duke of Queensbury had his party, still depending on him; he was in such credit with the lord treasurer and the queen, that all the posts in Scotland were given to persons recommended by him: the chief ministers at court seemed to have laid it down for a maxim, not to be departed from, to look carefully to elections in Scotland; that the members returned from thence might be in an entire dependence on them, and be either whigs or tories, as they should shift sides. The duke of Queensbury was made third secretary of state; he had no foreign province assigned him,

but Scotland was left to his management : the dukes of Hamilton, Montrose, and Roxburgh, had set themselves in an opposition to his power, and had carried many elections against him : the lord Somers and Sunderland supported them, but could not prevail with the lord treasurer to bring them into an equal share of the administration ; this had almost occasioned a breach ; for the whigs, though they went on in a conjunction with the lord treasurer, yet continued still to be jealous of him.

Another act was brought in and passed in this session, with relation to Scotland, which gave occasion to great and long debates ; what gave rise to it was this : upon the attempt made by the pretender, many of the nobility and gentry of Scotland, who had all along adhered to that interest, were secured ; and after the fleet was got back to Dunkirk, and the danger was over, they were ordered to be brought up prisoners to London ; when they came, there was no evidence at all against them, so they were dismissed, and sent back to Scotland. No exceptions could be taken to the securing them, while there was danger ; but since nothing besides presumptions lay against them, the bringing them up to London, at such a charge, and under such a disgrace, was much censured, as an unreasonable and an unjust severity ; and was made use of to give that nation a further aversion to the union. That whole matter was managed by the Scotch lords, then in the ministry, by which they both revenged themselves on some of their enemies, and made a show of zeal for the government ; though such as did not believe them sincere in these professions, thought it was done on design to exasperate the Scots the more, and so to dispose them to wish for another invasion. The whig ministry in England disowned all these proceedings, and used the Scots prisoners so well, that they went down much inclined to concur with them : but the lord Godolphin fatally adhered to the Scotch ministers, and supported them, by which, the advantage that might have been made from these severe proceedings was lost ; but the chief occasion given to the act concerning treasons in Scotland, was from a trial of some gentlemen of that kingdom, who had left their houses when the pretender was on the sea, and had gone about armed, and in so secret and suspicious a manner, that it gave great cause of jealousy : there was no clear evidence to convict them, but there were very strong, if not violent presumptions against them : some forms in the trial had not been observed, which the criminal court judged were necessary, and not to be dispensed with. But the queen's advocate, sir James Stuart, was of another mind : the court thought it was necessary by their laws, that the names of the witnesses should have been signified to the prisoners fifteen days before their trial ; but the queen's advocate had not complied with this, as to the chief witnesses ; so the court could not hear their evidence : he did not upon that move for a delay, so the trial went on, and the gentlemen were acquitted. Severe expostulations passed between the queen's advocate and the court : they complained of one another to the queen, and both sides justified their complaints in print. Upon this it appeared, that the laws in Scotland concerning trials in cases of treason, were not fixed nor certain : so a bill was brought into the house of commons to settle that matter ; but it was so much opposed by the Scotch members, that it was dropped in the committee ; it was taken up and managed with more zeal by the lords.

It consisted of three heads : all crimes which were high-treason by the law of England (and these only) were to be high-treason in Scotland : the manner of proceeding settled in England was to be observed in Scotland ; and the pains and forfeitures were to be the same in both nations. The Scotch lords opposed every branch of this act : they moved, that all things that were high-treason by the law of England, might be enumerated in the act, for the information of the Scotch nation ; otherwise they must study the book of statutes, to know when they were safe, and when they were guilty. To this it was answered, that direction would be given to the judges, to publish an abstract of the laws of high-treason, which would be a sufficient information to the people of Scotland, in this matter : that nation would by this means be in a much safer condition than they were now ; for the laws they had were conceived in such general words, that the judges might put such constructions on them as should serve the ends of a bad court ; but they would by this act be restrained in this matter for the future.

The second head in this bill occasioned a much longer debate ; it changed the whole method of proceedings in Scotland : the former way there was, the queen's advocate signed



a citation of the persons, setting forth the special matter of high-treason, of which they were accused ; this was to be delivered to them, together with the names of the witnesses, fifteen days before the trial. When the jury was empannelled, no peremptory challenges were allowed ; reasons were to be offered with every challenge, and if the court admitted them, they were to be proved immediately. Then the matter of the charge, which is there called the relevancy of the libel, was to be argued by lawyers, whether the matter, suppose it should be proved, did amount to high-treason or not ; this was to be determined by a sentence of the court, called the *interloquitur* : and the proof of the fact was not till then to be made : of that the jury had the cognizance. Anciently the verdict went with the majority, the number being fifteen ; but by a late act, the verdict was to be given, upon the agreement of two-third parts of the jury : in the sentence, the law did not limit the judges to a certain form, but they could aggravate the punishment, or moderate it, according to the circumstances of the case. All this method was to be set aside ; a grand jury was to find the bill, the judges were only to regulate proceedings, and to declare what the law was, and the whole matter of the indictment was to be left entirely to the jury, who were to be twelve, and all to agree in their verdict.

In one particular, the forms in Scotland were much preferable to those in England ; the depositions of the witnesses were taken indeed by word of mouth, but were written out, and after that were signed by the witnesses ; they were sent in to the jury ; and these were made a part of the record. This was very slow and tedious, but the jury, by this means, was more certainly possessed of the evidence ; and the matter was more clearly delivered down to posterity ; whereas the records in England are very defective, and give no light to a historian that peruses them, as I found when I wrote the *History of the Reformation*.

The Scotch opposed this alteration of their way of proceeding ; they said, that neither the judges, the advocates, nor the clerks would know how to manage a trial of treason : they insisted most on the having the names of the witnesses, to be given to the persons, some days before their trial : it seemed reasonable that a man should know who was to be brought to witness against him, that so he might examine his life, and see what credit ought to be given to him : on the other hand it was said, this would open a door to much practice, either upon the witnesses to corrupt them, or in suborning other witnesses to defame them. To this it was answered, that a guilty man knew what could be brought against him, and without such notice would take all the methods possible to defend himself : but provision ought to be made for innocent men, whose chief guilt might be a good estate, upon which a favourite might have an eye ; and therefore such persons ought to be taken care of. This was afterwards so much softened, that it was only desired, that the names of the witnesses that had given evidence to the grand jury should, upon their finding the bill, be signified to the prisoner five days before his trial. Upon a division of the house on this question, the votes were equal ; so by the rule of the house, that in such a case the negative prevails, it was lost. Upon the third head of the bill, the debates grew still warmer : in Scotland many families were settled by long entails and perpetuities ; so it was said, that since by one of the articles of the union, all private rights were still preserved, no breach could be made on these settlements. I carried this farther ; I thought it was neither just nor reasonable to set the children on begging for their fathers' faults : the Romans, during their liberty, never thought of carrying punishments so far : it was an invention, under the tyranny of the emperors, who had a particular revenue called the *fisc*, and all forfeitures were claimed by them, from whence they were called confiscations : it was never the practice of free governments : Bologna flourished beyond any town in the pope's dominions, because they made it an article of their capitulation with the pope, that no confiscation should follow on any crime whatsoever. In Holland the confiscation was redeemable by so very small a sum, as an hundred guilders : many instances could be brought of prosecutions, only to obtain the confiscation ; but none of the lords seconded me in this : it was acknowledged, that this was just and reasonable, and fit to be passed in good times ; but since we were now exposed to so much danger from abroad, it did not seem advisable to abate the severity of the law : but clauses were agreed to, by which, upon marriages, settlements might be made in Scotland, as was practised in England ; for no estate is forfeited for the crime of him, who

is only tenant for life. By this act also, tortures were condemned, and the queen was empowered to grant commissions of Oyer and Terminer as in England, for trying treasons. The Scotch insisted on this, that the justiciary or the criminal court being preserved by an article of the union, this broke in upon that. It was answered, the criminal court was still to sit, in the times regulated; but these commissions were granted upon special occasions. In the intervals between the terms, it might be necessary upon some emergency not to delay trials too long; but to give some content, it was provided by a clause, that a judge of the criminal court should be always one of the quorum in these commissions: so the bill passed in the house of lords, notwithstanding the opposition of all the Scotch lords, with whom many of the tories concurred; they being disposed to oppose the court in every thing, and to make treason as little to be dreaded as possible.

The bill met with the same opposition in the house of commons; yet it passed with two amendments: by one, the names of the witnesses that had appeared before the grand jury, were ordered to be sent to the prisoner ten days before his trial: the other was, that no estate in land was to be forfeited, upon a judgment of high treason: this came up fully to the motion I had made. Both these amendments were looked on as such popular things, that it was not probable that the house of commons would recede from them: upon that the whigs in the house of lords did not think fit to oppose them, or to lose the bill: so it was moved to agree to these amendments, with this proviso, that they should not take place till after the death of the pretender: it was said, that since he assumed the title of king of Great Britain, and had so lately attempted to invade us, it was not reasonable to lessen the punishment, and the dread of treason, as long as he lived. Others objected to this, that there would be still a pretender after him, since so many persons stood in the lineal descent before the house of Hanover; so that this proviso seemed to be, upon the matter, the rejecting the amendment: but it was observed, that to pretend to the right of succeeding, was a different thing from assuming the title, and attempting an invasion. The amendment was received by the house of lords with this proviso: those who were against the whole bill did not agree to it. The house of commons consented to the proviso, which the lords had added to their amendment, with a farther addition, that it should not take place till three years after the house of Hanover should succeed to the crown.

This met with great opposition; it was considered as a distinguishing character of those who were for or against the present constitution, and the succession; the Scots still opposing it on the account of their formal laws: both parties mustered up their strength, and many, who had gone into the country, were brought up on this occasion: so that the bill, with all the amendments and provisos, was carried by a small majority: the lords agreeing to this new amendment. The Scotch members in both houses seemed to apprehend, that the bill would be very odious in their country; so to maintain their interest at home, they, who were divided in every thing else, did agree in opposing this bill.

The court apprehended from the heat with which the debates were managed, and the difficulty in carrying the bill through both houses, that ill-disposed men would endeavour to possess people with apprehensions of bad designs and severities, that would be set on foot; so they resolved to have an act of grace immediately upon it: it was the first the queen had sent, though she had then reigned above seven years: the ministers, for their own sake, took care that it should be very full; it was indeed fuller than any former act of grace; all treasons committed before the signing the act, which was the 19th of April, were pardoned, those only excepted that were done upon the sea: by this, those who had embarked with the pretender were still at mercy. This act, according to form, was read once in both houses, and with the usual complements of thanks, and with that the session ended.

Other things of great importance passed during this session: the house of commons voted an enlargement of the bank, almost to three millions, upon which the books were opened to receive new subscriptions: and to the admiration of all Europe, as well as of ourselves at home, the whole sum was subscribed in a few hours' time: this showed both the wealth of the nation, and the confidence that all people had in the government. By this subscription, and by a further prolongation of the general mortgage of the revenue, they created good funds for answering all the money that they had voted in the beginning of the session.

Our trade was now very high, and was carried on every where with advantage, but no where more than at Lisbon; for the Portuguese were so happy, in their dominions in America, that they discovered vast quantities of gold in their mines, and we were assured that they had brought home to Portugal, the former year, about four millions sterling, of which they, at that time, stood in great need, for they had a very bad harvest; but gold answers all things: they were supplied from England with corn, and we had in return a large share of their gold.

An act passed in this session, that was much desired, and had been often attempted, but had been laid aside in so many former parliaments, that there was scarcely any hopes left to encourage a new attempt: it was for naturalizing all foreign protestants, upon their taking the oaths to the government, and their receiving the sacrament in any protestant church. Those who were against the act, soon perceived that they could have no strength, if they should set themselves directly to oppose it; so they studied to limit strangers in the receiving the sacrament to the way of the church of England. This probably would not have hindered many, who were otherwise disposed to come among us: for the much greater part of the French came into the way of our church. But it was thought best to cast the door as wide open as possible, for encouraging of strangers: and therefore since, upon their first coming over, some might choose the way to which they had been accustomed beyond sea, it seemed the more inviting method to admit of all who were in any protestant communion: this was carried in the house of commons, with a great majority; but all those who appeared for this large and comprehensive way, were reproached for their coldness and indifference in the concerns of the church: and in that I had a large share; as I spoke copiously for it, when it was brought up to the lords: the bishop of Chester spoke as zealously against it, for he seemed resolved to distinguish himself as a zealot for that which was called high-church. The bill passed with very little opposition.

There was all this winter great talk of peace, which the miseries and necessity of France seemed to drive them to: this gave occasion to a motion, concerted among the whigs, and opened by the lord Halifax, that an address should be made to the queen, to conclude no peace with France, till they should disown the pretender, and send him out of that kingdom, and till the protestant succession should be universally owned, and that a guaranty should be settled among the allies for securing it. None durst venture to oppose this, so it was easily agreed to, and sent down to the house of commons for their concurrence. They presently agreed to it, but added to it a matter of great importance, that the demolishing of Dunkirk should be likewise insisted on, before any peace were concluded: so both houses carried this address to the queen, who received and answered it very favourably. This was highly acceptable to the whole nation, and to all our allies. These were the most considerable transactions of this session of parliament, which was concluded on the 21st of April.

The convocation was summoned, chosen, and returned as the parliament was: but it was too evident that the same ill temper that had appeared in former convocations, did still prevail, though not with such a majority: when the day came in which it was to be opened, a writ was sent from the queen to the archbishop, ordering him to prorogue the convocation for some months: and at the end of these, there came another writ, ordering a further prorogation: so the convocation was not opened during this session of parliament; by this, a present stop was put to the factious temper of those who studied to recommend themselves by embroiling the church.

It did not cure them; for they continued still by libels and false stories to animate their party; and so catching a thing is this turbulent spirit, when once it prevails among clergymen, that the same ill temper began to ferment and spread itself among the clergy of Ireland; none of those disputes had ever been thought of in that church formerly, as they had no records nor minutes of former convocations. The faction here in England found out proper instruments to set the same humour on foot, during the earl of Rochester's government, and, as was said, by his directions; and it being once set going, it went on by reason of the indolence of the succeeding governors; so the clergy were making the same bold claim there that had raised such disputes among us: and upon that, the party here published those pretensions of theirs, with their usual confidence, as founded on a clear possession and pro-



scription; and drew an argument from that to justify and support their own pretensions, though those in Ireland never dreamed of them till they had the pattern and encouragement from hence. This was received by the party with great triumph, into such indirect practices do men's ill designs and animosities engage them: but though this whole matter was well detected and made appear, to their shame, who had built so much upon it, yet parties are never out of countenance; but when one artifice fails, they will lay out for another. The secret encouragement with which they did most effectually animate their party, was, that the queen's heart was with them: and that though the war and the other circumstances of her affairs obliged her at present to favour the moderate party, yet as soon as a peace brought on a better settlement, they promised themselves all favour at her hands. It was not certain that they had then any ground for this, or that she herself, or any by her order, gave them these hopes; but this is certain, that many things might have been done to extinguish those hopes, which were not done; so that they seemed to be left to please themselves with those expectations, which kept still life in their party; and indeed it was but too visible, that the much greater part of the clergy were in a very ill temper, and under very bad influences; enemies to the toleration, and soured against the dissenters.

I now must relate the negotiations, that the French set on foot for a peace. Soon after the battle of Ramillies, the elector of Bavaria gave out hopes of a peace; and that the king of France would come to a treaty of partition; that Spain and the West Indies should go to king Charles if the dominions of Italy were given to king Philip. They hoped that England and the States would agree to this, as less concerned in Italy; but they knew the court of Vienna would never hearken to it; for they valued the dominions in Italy with the islands near them, much more than all the rest of the Spanish monarchy. But at the same time that Louis the Fourteenth was tempting us, with the hopes of Spain and the West Indies, by a letter to the pope, that king offered the dominions in Italy to king Charles. The parliament had always declared the ground of the war to be, the restoring the whole Spanish monarchy to the house of Austria, (which indeed the States had never done) so the duke of Marlborough could not hearken to this; he convinced the States of the treacherous designs of the court of France, in this offer, and it was not entertained.

The court of Vienna was so alarmed at the inclinations some had expressed towards the entertaining this project, that this was believed to be the secret motive of the treaty, the succeeding winter, for evacuating the Milanese, and of their persisting so obstinately, the summer after, in their designs upon Naples; for by this means they became masters of both. The French, being now reduced to great extremities, by their constant ill success, and by the miseries of their people, resolved to try the States again; and when the duke of Marlborough came over to England, M. Rouillé was sent to Holland, with general offers of peace, desiring them to propose what it was they insisted on; and he offered them as good a barrier for themselves as they could ask. The States, contrary to their expectation, resolved to adhere firmly to their confederates, and to enter into no separate treaty, but in conjunction with their allies: so, upon the duke of Marlborough's return, they, with their allies, began to prepare preliminaries, to be first agreed to, before a general treaty should be opened: they had been so well acquainted with the perfidious methods of the French court, when a treaty was once opened, to divide the allies, and to create jealousies among them, and had felt so sensibly the ill effects of this, both at Nimeguen and Ryswick, that they resolved to use all necessary precautions for the future; so preliminaries were prepared, and the duke of Marlborough came over hither, to concert them with the ministry at home\*.

In this second absence of his, M. de Torcy, the secretary of state for foreign affairs †, was sent to the Hague, the better to dispose the States to peace, by the influence of so great a minister; no methods were left untried, both with the States in general, and with every man they spoke with in particular, to beget in them a full assurance of the king's sincere inten-

\* The duke upon this occasion, without naming it to the queen, used his influence to get himself appointed captain-general for life. Lord Somers warned the queen of the dangerous powers a subject would acquire by such an appointment; and this entirely destroyed the duke's

plan.—Lord Dartmouth in the Oxford edition of this work.

† M. de Torcy's "Memoires" afford much valuable information relative to this period.

tions for peace ; but they knew the artifices of that court too well, to be soon deceived ; so they made no advances till the duke of Marlborough came back, who carried over the lord viscount Townshend, to be conjunct plenipotentiary with himself, reckoning the load too great to bear it wholly on himself. The choice was well made : for as lord Townshend had great parts, had improved these by travelling, and was by much the most shining person of all our young nobility, and had, on many occasions, distinguished himself very eminently ; so he was a man of great integrity, and of good principles in all respects, free from all vice, and of an engaging conversation.

The foundation of the whole treaty was, the restoring of the whole Spanish monarchy to king Charles, within two months : Torcy said, the time was too short, and that perhaps it was not in the king of France's power to bring that about : for the Spaniards seemed resolved to stick to king Philip. It was, upon this, insisted on, that the king of France should be obliged to concur with the allies, to force it by all proper methods ; but this was not farther explained, for the allies were well assured, that if it was sincerely intended by France, there would be no great difficulty in bringing it about. This therefore being laid down as the basis of the treaty, the other preliminaries related to the restoring all the places in the Netherlands, except Cambray and St. Omer ; the demolishing or restoring of Dunkirk ; the restoring of Strasbourg, Brisack, and Huningen to the empire ; Newfoundland to England ; and Savoy to that duke, besides his continuing possessed of all he then had in his hands ; the acknowledging the king of Prussia's royal dignity ; and the electorate in the house of Brunswick ; the sending the pretender out of France, and the owning the succession to the crown of England, as it was settled by law. As all the great interests were provided for by these preliminaries, so all other matters were reserved to be considered, when the treaty of peace should be opened : a cessation of all hostilities was to begin, within two months, and to continue till all was concluded by a complete treaty, and ratified ; provided the Spanish monarchy was then entirely restored. The French plenipotentiaries seemed to be confounded at these demands. Torcy excepted to the leaving Exilles and Fenestrella in the duke of Savoy's hands ; for he said, he had no instructions relating to them : but in conclusion, they seemed to submit to them, and Torcy at parting desired the ratifications might be returned with all possible haste, and promised that the king of France's final answer should be sent, by the fourth of June ; but spoke of their affairs as a man in despair : he said, he did not know but he might find king Philip at Paris, before he got thither, and said all that was possible, to assure them of the sincerity of the king of France, and to divert them from the thoughts of opening the campaign ; but at the same time king Philip was getting his son, the prince of Asturias, to be acknowledged by all the towns and bodics of Spain, as the heir of that monarchy.

Upon this outward appearance of agreeing to the preliminaries, all people looked upon the peace to be as good as made ; and ratifications came from all the courts of the allies, but the king of France refused to agree to them ; he pretended some exceptions to the articles relating to the emperor and the duke of Savoy ; but insisted chiefly on that, of not beginning the suspension of arms, till the Spanish monarchy should be all restored ; he said, that was not in his power to execute ; he ordered his minister afterwards to yield up all but this last ; and by a third person, one Pettecum, it was offered, to put some more towns into the hands of the allies, to be kept by them till Spain was restored. It appeared by this, that the French had no other design in all this negotiation, but to try if they could beget an ill understanding among the allies, or, by the seeming great concessions, for the security of the States, provoke the people of Holland against their magistrates, if they should carry on the war, when they seemed to be safe ; and they reckoned, if a suspension of arms could be once obtained, upon any other terms than the restoring of Spain, then France would get out of the war, and the allies must try how they could conquer Spain. France had so perfidiously broken all their treaties, during this king's reign, that it was a piece of inexcusable folly, to expect any other from them. In the peace of the Pyrenees, where the interest of France was not so deeply engaged to preserve Portugal from falling under the yoke of Castile, as it was now to preserve Spain in the hands of a grandson ; after the king had sworn to give no assistance to Portugal, yet, under the pretence of breaking some bodics, he suffered them to

be entertained by the Portuguese ambassador, and sent Schomberg to command that army : pretending he could not hinder one that was a German by birth, to go and serve where he pleased : under these pretences, he had broken his faith, where the consideration was not so strong as in the present case. Thus it was visible no faith that king could give was to be relied on, and that unless Spain was restored, all would prove a fatal delusion : besides, it came afterwards to be known, that the places in Brabant and Hainault, commanded by the elector of Bavaria, would not have been evacuated by him, unless he had orders for it from the king of Spain, under whom he governed in them ; and that was not to be expected : so the easiness with which the French ministers yielded to the preliminaries, was now understood to be an artifice, to slacken the zeal of the confederates, in advancing the campaign, as the least effect it would have ; but in that their hopes failed them, for there was no time lost in preparing to take the field.

I do not mix with the relation that I have given upon good authority, the uncertain reports we had of distractions in the court of France, where it was said that the duke of Burgundy pressed the making a peace, as necessary to prevent the ruin of France, while the dauphin pressed more vehemently the continuance of the war, and the supporting of the king of Spain : it was said, that Madame Maintenon appeared less at court : Chamillard, who had most of her favour, was dismissed : but it is not certain what influence that had on the public councils ; and the conduct of this whole negotiation showed plainly, that there was nothing designed in it, but to divide, or to deceive the confederates ; and, if possible, to gain a separate peace for France ; and then to let the allies conquer Spain as they could. But the allies kept firm to one another, and the treachery of the French appeared so visible, even to the people in Holland, that all the hopes they had, of inflaming them against their magistrates, likewise failed. The people in France were much wrought on by this pretended indignity offered to their monarch, to oblige him to force his grandson to abandon Spain ; and even, here in England, there wanted not many, who said it was a cruel hardship put on the French king, to force him into such an unnatural war : but if he was guilty of the injustice of putting him in possession of that kingdom, it was but a reasonable piece of justice to undo what he himself had done : and it was so visible, that king Philip was maintained on that throne, by the councils and assistance of France, that no doubt was made, but that, if the king of France had really designed it, he could easily have obliged him to relinquish all pretensions to that crown.

Thus the negotiations came soon to an end ; without producing any ill effect among the allies ; and all the ministers at the Hague made great acknowledgments to the pensioner Heinsius, and to the States, for the candour and firmness they had expressed on that occasion. The miseries of France were represented, from all parts, as extremely great ; the prospect for corn and wine was so low, that they saw no hope nor relief. They sent to all places for corn, to preserve their people, many of the ships that brought it to them were taken by our men of war ; but this did not touch the heart of their king, who seemed to have hardened himself against the miseries of his people. Villars was sent to command the armies in Flanders, of whom the king of France said, that he was never beaten ; Harcourt was sent to command on the Rhine, and the duke of Berwick in Dauphiny. This summer passed over without any considerable action in Spain. There was an engagement on the frontier of Portugal, in which the Portuguese behaved themselves very ill, and were beaten ; but the Spaniards did not pursue the advantage they had by this action ; for they, apprehending that our fleet might have a design upon some part of their southern coast, were forced to draw their troops from the frontiers of Portugal, to defend their own coast ; though we gave them no disturbance on that side.

The king of France, to carry on the show of a design for peace, withdrew his troops out of Spain, but at the same time took care to encourage the Spanish grandees, to support his grandson : and since it was visible that either the Spaniards, or the allies, were to be deceived by him, it was much more reasonable to believe that the allies, and not the Spaniards, were to feel the effects of this fraudulent way of proceeding. The French general, Besons, who commanded in Arragon, had indeed orders not to venture on a battle, for that would have been too gross a thing to be in any wise palliated ; but he continued all this summer com-



manding their armies. Nothing of any importance passed on the side of Dauphiny: the emperor continued still to refuse complying with the duke of Savoy's demands; so he would not make the campaign in person, and his troops kept on the defensive. On the other hand, the French, as they saw they were to be feebly attacked, were too weak to do any thing more than cover their own country. Little was expected on the Rhine; the Germans were so weak, so ill furnished, and so ill paid, that it was not easy for the court of Vienna to prevail on the elector of Brunswick to undertake the command of that army; yet he came at last: and upon his coming, the French, who had passed the Rhine, thought it was safest for them to repass that river, and to keep within their lines. The elector sent count Mercy, with a considerable body, to pass the Rhine near Basil, and on design to break into Franche Comté; but a detached body of the French, lying in their way, there followed a very sharp engagement; two thousand men were reckoned to be killed on each side; but though the loss of men was reckoned equal, yet the design miscarried, and the Germans were forced to repass the Rhine. The rest of the campaign went over there without any action.

The chief scene was in Flanders, where the duke of Marlborough, trusting little to the shows of peace, had every thing in readiness to open the campaign, as soon as he saw what might be expected from the court of France. The army was formed near Lille, and the French lay near Douay; the train of artillery was, by a feint, brought up the Lys to Courtray; so it was believed the design was upon Ypres, and there being no apprehension of any attempt on Tournay, no particular care was taken of it; but it was on the sudden invested, and the train was sent back to Ghent, and brought up the Scheld to Tournay. The siege was carried on regularly: no disturbance was given to the works by sallies, so the town capitulated within a month, the garrison being allowed to retire into the citadel, which was counted one of the strongest in Europe, not only fortified with the utmost exactness, but all the ground was wrought into mines; so that the resistance of the garrison was not so much apprehended as the mischief they might do by blowing up their mines. A capitulation was proposed, for delivering it up on the fifth of September, if it should not be relieved sooner, and that all hostilities should cease till then. This was offered by the garrison, and agreed to by the duke of Marlborough; but the king of France would not consent to it, unless there were a general suspension, by the whole army, of all hostilities; and that being rejected, the siege went on. Many men were lost in it, but the proceeding by sap prevented much mischief; in the end no relief came, and the garrison capitulated in the beginning of September, but could obtain no better conditions than to be made prisoners of war.

After this siege was over, Mons was invested, and the troops marched thither, as soon as they had levelled their trenches about Tournay; but the court of France resolved to venture a battle, rather than to look on, and see so important a place taken from them. Boufflers was sent from court to join with Villars in the execution of this design: they possessed themselves of a wood, and intrenched themselves so strongly, that in some places there were three intrenchments cast up, one within another. The duke of Marlborough and prince Eugene saw plainly it was not possible to carry on the siege of Mons, while the French army lay so near it; so it was necessary to dislodge them. The attempt was bold, and they saw the execution would be difficult, and cost them many men. This was the sharpest action in the whole war, and lasted the longest. The French were posted so advantageously, that our men were often repulsed; and indeed the French maintained their ground better, and showed more courage than appeared in the whole course of the war: yet in conclusion they were driven from all their posts, and the action ended in a complete victory. The number of slain was almost equal on both sides, about twelve thousand of a side. We took five hundred officers prisoners, besides many cannon, standards, and ensigns. Villars was disabled by some wounds he received, so Boufflers made the retreat in good order. The military men have always talked of this, as the sharpest action in the whole war, not without reflecting on the generals, for beginning so desperate an attack. The French thought it a sort of a victory, that they had animated their men to fight so well behind entrenchments, and to repulse our men so often, and with so great loss. They retired to Valenciennes, and secured themselves by casting up strong lines, while they left our army to carry on the siege of Mons, without giving them the least disturbance. As soon as the train of artillery was

brought from Brussels, the siege was carried on with great vigour, though the season was both cold and rainy : the outworks were carried with little resistance, and Mons capitulated about the end of October ; with that the campaign ended, both armies retiring into winter quarters.

The most important thing that relates to Italy, was, that the pope delayed acknowledging king Charles, by several pretended difficulties ; his design being to stay and see the issue of the campaign ; but when he was threatened, towards the end of it, that if it was not done, the imperial army should come and take up their winter quarters in the ecclesiastical state, he submitted and acknowledged him. He sent also his nephew, Albano, first to Vienna, and then to Poland ; he furnished him with a magnificent retinue, and seemed to hope, that by the services he should do to the papal interests there, he should be pressed to make him a cardinal, notwithstanding the bull against nepotism.

In Catalonia, Staremburg, after he received reinforcements from Italy, advanced towards the Segra, and having for some days amused the enemy, he passed the river ; the Spaniards designed to give him battle, but Besons, who commanded the French troops, refused to engage ; this provoked the Spaniards so much, that king Philip thought it was necessary to leave Madrid, and go to the army ; Besons produced his orders from the king of France, to avoid all engagements, with which he seemed much mortified. Staremburg advanced and took Balaguer, and made the garrison prisoners of war : and with that the campaign on that side was at an end.

This summer brought a catastrophe on the affairs of the king of Sweden : he resolved to invade Muscovy, and engaged himself so far into the Ukrain, that there was no possibility of his retreating, or of having reinforcements brought him. He engaged a great body of Cossacks to join him, who were easily drawn to revolt from the czar : he met with great misfortunes in the end of the former year, but nothing could divert him from his designs against Muscovy ; he passed the Nieper, and besieged Pultowa : the czar marched to raise the siege, with an army in number much superior to the Swedes ; but the king of Sweden resolved to venture on a battle, in which he received such a total defeat, that he lost his camp, his artillery, and baggage : a great part of his army got off, but being closely pursued by the Muscovites, and having neither bread nor ammunition, they were all made prisoners of war.

The king himself, with a small number about him, passed the Nieper, and got into the Turkish dominions, and settled at Bender, a town in Moldavia. Upon this great reverse of his affairs, king Augustus pretended, that the resignation of the crown of Poland was extorted from him by force, and that it was not in his power to resign the crown, by which he was tied to the republic of Poland, without their consent : so he marched into Poland, and Stanislaus was not able to make any resistance, but continued under the protection of the Swedes, waiting for another reverse of fortune. A project was formed to engage the kings of Denmark and Prussia, with king Augustus and the czar, to attack the Swedes in so many different places, that the extravagant humour of their king was likely now to draw a heavy storm upon them ; if England and the States, with the court of Vienna had not crushed all this, and entered into a guaranty, for preserving the peace of the empire, and by consequence, of the Swedish dominions in Germany. Dantzic was at this time severely visited with a plague, which swept away almost one half of their inhabitants, though few of the better sort died of the infection. This put their neighbours under great apprehensions, they feared the spreading of the contagion ; but it pleased God, it went no farther. This sudden, and, as it seemed, total reverse of all the designs of the king of Sweden, who had been for many years the terror of all his neighbours, made me write to Dr. Robinson, who had lived above thirty years in that court, and is now bishop of Bristol, for a particular character of that king. I shall set it down in his own words\*.

\* Dr. John Robinson was a native of Cleasby, in Yorkshire, where he was born in the year 1650. His education concluded at Oriel college, Oxford, of which he became a fellow, and a munificent patron. Going to Sweden as domestic chaplain to our ambassador, he continued as resident whilst his superior was absent, and finally, was promoted to the ambassadorship. He con-

tinued at the Swedish court from 1683 to 1708. Much of his celebrity arose from his " Account of Sweden, as it was in 1688," and the reader who wishes for farther information relative to that kingdom at this period, will do well to consult it. On his return to England, he obtained the deanery of Windsor, the registrarship of the order of the garter, and a prebend stall at Canterbury.

He is now in the twenty-eighth year of his age, tall and slender, stoops a little, and in his walking discovers, though in no great degree, the effect of breaking his thigh-bone about eight years ago: he is of a very vigorous and healthy constitution, takes a pleasure in enduring the greatest fatigues, and is little curious about his repose: his chief and almost only exercise has been riding, in which he has been extremely excessive: he usually eats with a good appetite, especially in the morning, which is the best of his three meals: he never drinks any thing but small beer, and is not much concerned whether it be good or bad: he speaks little, is very thoughtful, and is observed to mind nothing so much as his own affairs, laying his designs, and contriving the ways of acting, without communicating them to any till they are to be put in execution: he holds few or no councils of war; and though in civil affairs his ministers have leave to explain their thoughts, and are heard very patiently, yet he relies more on his own judgment, than on theirs, and frequently falls on such methods as are farthest from their thoughts: so that both his ministers and generals have hitherto had the glory of obedience, without either the praise, or blame, of having advised prudently or otherwise. The reason of his reservedness in consulting others may be thus accounted for; he came, at the age of fifteen, to succeed, in an absolute monarchy, and by the forward zeal of the states of the kingdom, was in a few months declared to be of age: there were those about him that magnified his understanding, as much as his authority, and insinuated that he neither needed advice, nor could submit his affairs to the deliberation of others, without some diminution of his own supreme power. These impressions had not all their effect till after the war was begun, in the course of which he surmounted so many impossibilities (as those about him thought them) that he came to have less value for their judgments, and more for his own, and at last to think nothing impossible. So it may be truly said, that under God, as well all his glorious successes, as the late reverse of them, have been owing solely to his own conduct. As to his piety, it cannot be said but that the outward appearances have highly recommended it, only it is not very easy to account for the excess of his revenge against king Augustus, and some other instances; but he is not suspected of any bodily indulgences. It is most certain he has all along wished well to the allies, and not at all to France, which he never intended to serve by any steps he has made. We hear the Turks use him well, but time must show what use they will make of him, and how he will get back into his own kingdom. If this misfortune does not quite ruin him, it may temper his fire, and then he may become one of the greatest princes of the age. Thus I leave him and his character.

The king of Denmark spent a great part of this summer in a very expensive course of travelling through the courts of Germany and Italy, and it was believed he intended to go to Rome, where great preparations were making, for giving him a splendid reception; for it was given out, that he intended to change his religion; but whether these reports were altogether groundless, or whether their being so commonly believed, was likely to produce some disorders in his own kingdom, is not certainly known; only thus much is certain, that he stopped at Florence, and went no further, but returned home; and upon the king of Sweden's misfortunes, entered into measures to attack Sweden, with king Augustus; who had called a diet in Poland, in which he was acknowledged their king, and all things were settled there, according to his wishes. The king of Denmark, upon his return home, sent an army over the Sound into Schonen; but his counsels were so weak, and so ill conducted, that he did not send a train of artillery, with other necessaries, after them: some places, that were not tenable, were yielded up by the Swedes, and by the progress that he made at first, he seemed to be in a fair way of recovering that province; but the Swedes brought an army together, though far inferior to the Danes in number, and falling on them, gave them such

In 1710, he was advanced to the see of Bristol. The chief of his other public employments and preferments are noticed in future pages. He died in 1723. Stackhouse in his "Memoirs of Dr. Atterbury," speaks of Dr. Robinson with great contempt and asperity, but others who knew him well, speak of him as having deep and general knowledge, as being religious, good humoured, and charitable. characteristics we may the more readily believe,

when we know that he became lord privy seal, and bishop of London, and that if he had survived Dr. Tennison, he would have become archbishop of Canterbury; such preferments are guarantees that he was talented; and the attributes of his heart seem similarly assured by his endowments of Oriel college and of a free school at his native place.—Gen. Biograph. Dictionary; Noble's Contin. of Grainger.



an entire defeat, that the king of Denmark was forced to bring back, as well as he could, the broken remnants of his army, by which an end was put to that inglorious expedition.

The Swedish army, that was in Poland, having got into Pomerania, the French studied to engage them to fall into Saxony, to embroil the affairs of Germany, and by that means engage the neighbouring princes, to recall the troops that were in the queen's service, and that of the other allies in Flanders; but the queen and the States interposed effectually in this matter, and the Swedes were so sensible, how much they might need their protection, that they acquiesced in the propositions that were made to them; so the peace of the northern parts of the empire was secured. A peace was likewise made up, between the grand seignior and the czar: the king of Sweden continued still at Bender; the war in Hungary went still on. The court of Vienna published ample relations of the great successes they had there; but an Hungarian assured me, these were given out to make the malcontents seem an inconsiderable and ruined party. There were secret negotiations still going on, but without effect.

Nothing of importance passed on the sea: the French put out no fleet, and our convoys were so well ordered, and so happy, that our merchants made no complaints: towards the end of the year the earl of Pembroke found the care of the fleet a load too heavy for him to bear, and that he could not discharge it, as it ought to be done; so he desired leave to lay it down. It was offered to the earl of Orford: but though he was willing to serve at the head of a commission, he refused to accept of it singly; so it was put in commission, in which he was the first.

I now come to give an account of the session of parliament, that came on this winter. All the supplies that were asked for carrying on the war, were granted, and put on good funds; in this there was a general unanimous concurrence: but the great business of this session, that took up most of their time, and that had great effects in conclusion, related to Dr. Sacheverel: this being one of the most extraordinary transactions in my time, I will relate it very copiously. Dr. Sacheverel was a bold insolent man, with a very small measure of religion, virtue, learning, or good sense, but he resolved to force himself into popularity and preferment, by the most petulant railings at dissenters, and low-churchmen, in several sermons and libels, written without either chasteness of style, or liveliness of expression: all was one unpractised strain of indecent and scurrilous language. When he had pursued this method for several years without effect, he was at last brought up by a popular election to a church in Southwark, where he began to make great reflections on the ministry, representing that the church was in danger, being neglected by those who governed, while they favoured her most inveterate enemies. At the assizes in Derby (where he preached before the judges) and on the fifth of November (preaching at St. Paul's in London) he gave a full vent to his fury, in the most virulent declamation, that he could contrive, upon these words of St. Paul's, "perils from false brethren;" in which, after some short reflections upon popery, he let himself loose into such indecencies, that both the man and the sermon were universally condemned: he asserted the doctrine of non-resistance in the highest strain possible, and said, that to charge the revolution with resistance, was to cast black and odious imputations on it; pretending, that the late king had disowned it, and cited for the proof of that, some words in his declaration, by which he vindicated himself from a design of conquest. He poured out much scorn and scurrility on the dissenters, and reflected severely on the toleration; he said the church was violently attacked by her enemies, and loosely defended by her pretended friends: he animated the people to stand up for the defence of the church, for which he said he sounded the trumpet, and desired them to put on the whole armour of God. The court of aldermen refused to desire him to print his sermon; but he did print it, pretending it was upon the desire of Garrard, then lord mayor, to whom he dedicated it, with an inflaming epistle at the head of it. The party that opposed the ministry, did so magnify the sermon, that, as was generally reckoned, about forty thousand of them were printed, and dispersed over the nation. The queen seemed highly offended at it, and the ministry looked on it as an attack made on them, that was not to be despised. The lord treasurer was so described, that it was next to the naming him, so a parliamentary impeachment was resolved on; Eyre, then solicitor-general, and others thought the short

way of burning the sermon, and keeping him in prison during the session, was the better method; but the more solemn way was unhappily chosen\*.

There had been, ever since the queen came to the crown, an open revival of the doctrine of passive obedience and non-resistance by one Leslie, who was the first man that began the war in Ireland, saying, in a speech solemnly made, that king James, by declaring himself a papist, could no longer be our king, since he could not be the defender of our faith, nor the head of our church; dignities so inherent in the crown, that he who was incapable of these could not hold it. A copy of which speech the present archbishop of Dublin told me he had, under his own hand. As he animated the people with his speech, so some actions followed under his conduct in which several men were killed; yet this man changed sides quickly, and became the most violent jacobite in the nation, and was engaged in many plots, and in writing many books against the revolution and the present government. Soon after the queen was on the throne, he, or his son, as some said, published a series of weekly papers, under the title of "The Rehearsal," pursuing a thread of arguments in them all against the lawfulness of resistance, in any case whatsoever; deriving government wholly from God, denying all right in the people, either to confer or to coerce it. The ministers connived at this, with what intention God knows†.

Whilst these seditious papers had a free course for many years, and were much spread and magnified; one Hoadley, a pious and judicious divine, being called to preach before the lord mayor, chose for his text the first verse of the 13th chapter to the Romans, and fairly explained the words there, that they were to be understood only against resisting good governors, upon the Jewish principles; but that those words had no relation to bad and cruel governors: and he asserted, that it was not only lawful, but a duty incumbent on all men to resist such: concluding all with a vindication of the revolution and the present government. Upon this, a great outcry was raised, as if he had preached up rebellion: several books were written against him, and he justified himself, with a visible superiority of argument, to them all, and did so solidly overthrow the conceit of one Filmer, now espoused by Leslie (that government was derived by primogeniture from the first patriarchs),

\* Dr. Henry Sacheverel is one of many instances of the importance conferred upon an obscure individual by persecuting him. When the assailant is the national government, that at once elevates the assailed into the prominent character of a political martyr. Sacheverel, Wilkes, and Burdett, are sufficient examples. Dr. Sacheverel was the son of a clergyman at Marlborough, in Wiltshire, and bore there in the year 1672. It is curious that two such opposite politicians as he and Addison, should be demys of Magdalen college, Oxford, at the same time; and it is as remarkable that the Henry Sacheverel with whom Addison was so intimate at Oxford, is not the same person as is mentioned in the text. It was the extreme of error to proceed against the doctor in the most solemn of legal forms, namely, by impeachment—the hangman burnt his sermons, and the mob revenged this by setting fire to dissenters' chapels. His prosecution is detailed at length in the State Trials, and though condemned, his was the triumph, and to his prosecutors it was, in effect, a defeat. He travelled in state through many parts of England; wherever he approached a town, thousands of persons came forth to meet him, and he reached his Welch living after a progress more suitable to a conqueror than a degraded priest. After his three years' suspension were expired, his prosecutors, the house of commons, the tories being then in power, ordered him to preach before them, and thanked him for his sermon. He was given the rectory of St. Andrews, Holborn, and if his friends had remained at the head of affairs, he probably would have been raised to the bishops' bench. The closing years of his life he devoted strictly to the duties of his profession, making no efforts to obtain preferment, nor embroiling himself at all with politics. In private life he was eminently amiable. He died in 1724.—

Wood's *Athenæ Oxon.*, Gen. Biog. Dictionary; Noble's *Contin. of Grainger*.

† Charles Leslie was a son of Dr. John Leslie, bishop of Clogher. Originally he was intended for the law, but left the pursuit of this for the more sacred profession. In 1687 he obtained the chancellorship of Connor, and displayed great firmness in opposition to the papists, holding a disputation with their bishop of his district, and preventing the intrusion of a high sheriff holding the same creed. He is to be praised rather than condemned for the part he took at the Revolution; for he conscientiously believed it illegal to depose the reigning monarch, and therefore, although still adhering to the protestant religion, he refused to transfer his allegiance to king William. He used his utmost exertions to restore the Stuart family, but finding their cause hopeless he returned to Ireland, and died there in 1722. His numerous works, political and theological, are enumerated in his life, given in the *Biographia Britannica*. Dr. Johnson has praised him as a powerful and unanswerable defender of our religion.

Dr. Benjamin Hoadley, mentioned in the next paragraph, is the prelate who gave rise to the celebrated Bangorian controversy, which took its appellation from his being at the time bishop of Bangor. The doctor maintained in this that the clergy could claim no civil power. His opponents were Sherlock, Hare, Law, &c. Dr. Hoadley was born at Westerham, in the year 1676, receiving his education under his father at the Norwich Grammar School, and at Catherine Hall, Cambridge. His taste was for controversy, and, besides the above-mentioned, he had fierce encounters with Calamy, Atterbury, and others. From the see of Bangor he was successively removed to Hereford, Salisbury, and Winchester, where he died in 1761.—Gen. Biog. Dictionary.

that for some time he silenced his adversaries: but it was an easier thing to keep up a clamour, than to write a solid answer. Sacheverel did, with great virulence, reflect on him, and on me and several other bishops, carrying his venom as far back as to archbishop Grindal, whom, for his moderation, he called a perfidious prelate, and a false son of the church. When it was moved to impeach him, the lord mayor of London, being a member of the house of commons, was examined to this point, whether the sermon was printed at his desire or order. Upon his owning it, he would have been expelled the house; but he denied he had given any such order, though Sacheverel affirmed it, and brought witnesses to prove it. Yet the house would not enter upon that examination; but it was thought more decent to seem to give credit to their own member, though indeed few believed him.

Some opposition was made to the motion for impeaching Sacheverel, but it was carried by a great majority\*. The proceedings were slow, so those who intended to inflame the city and the nation upon that occasion, had time sufficient given them for laying their designs. They gave it out boldly, and in all places, that a design was formed by the whigs to pull down the church, and that this prosecution was only set on foot to try their strength; and that, upon their success in it, they would proceed more openly. Though this was all falsehood and forgery, yet it was propagated with so much application and zeal, and the tools employed in it were so well supplied with money (from whom was not then known), that it is scarcely credible how generally it was believed.

Some things concurred to put the vulgar in ill humour; it was a time of dearth and scarcity, so that the poor were much pinched. The summer before, ten or twelve thousand poor people of the palatinate, who were reduced to great misery, came into England: they were well received and supplied, both by the queen and by the voluntary charities of good people. This filled our own poor with great indignation, who thought those charities, to which they had a better right, were thus intercepted by strangers; and all who were ill affected studied to heighten these their resentments. The clergy did generally espouse Sacheverel as their champion, who had stood in the breach; and so they reckoned his cause was their own. Many sermons were preached, both in London and other places, to provoke the people, in which they succeeded beyond expectation. Some accidents concurred to delay the proceedings; much time was spent in preparing the articles of impeachment: and the answer was by many shifts long delayed: it was bold, without either submission or common respect: he justified every thing in his sermon in a very haughty and assuming style. In conclusion, the lords ordered the trial to be at the bar of their house; but those who found that by gaining more time the people were still more inflamed, moved that the trial might be public in Westminster Hall, where the whole house of commons might be present. This took so with unthinking people, that it could not be withstood, though the effects it would have were well foreseen. The preparing Westminster Hall was a work of some weeks.

At last, on the twenty-seventh of February, the trial began. Sacheverel was lodged in the Temple, and came every day with great solemnity in a coach to the Hall; great crowds ran about his coach with many shouts, expressing their concern for him in a very rude and tumultuous manner. The trial lasted three weeks, in which all other business was at a stand, for this took up all men's thoughts. The managers for the commons opened the matter very solemnly: their performances were much and justly commended. Jekyll, Eyre, Stanhope, King, but above all Parker, distinguished themselves in a very particular manner: they did copiously justify both the revolution and the present administration. There was no need of witnesses; for the sermon being owned by him, all the evidence was brought from it by laying his words together, and by showing his intent and meaning in them, which appeared from comparing one place with another. When his counsel, sir Simon Harcourt, Dodd, Phipps, and two others, came to plead for him, they very freely acknowledged the lawfulness of resistance in extreme cases, and plainly justified the revolution and our deliverance by king William: but they said it was not fit in a sermon to name such an excep-

\* According to lord Hardwicke, Sacheverel's impeachment was chiefly pressed by lord Wharton. Swift says that he heard lord Somers foretell that it would probably

end in the ruin of the whig party.—Oxford ed. of this work; Swift's Four last Years of Queen Anne



tion ; that the duties of morality ought to be delivered in their full extent, without supposing an extraordinary case : and therefore Sacheverel had followed precedents, set by our greatest divines, ever since the reformation, and ever since the revolution. Upon this they opened a great field : they began with the declarations made in king Henry the Eighth's time : they insisted next upon the Homilies, and from thence instanced in a large series of bishops and divines, who had preached the duty of submission and non-resistance in very full terms, without supposing any exception ; some excluding all exceptions in as positive a manner as he had done. They explained the word revolution, as belonging to the new settlement upon king James's withdrawing ; though, in the common acceptation, it was understood of the whole transaction, from the landing of the Dutch army, till the settlement made by the convention. So they understanding the revolution in that sense, there was indeed no resistance there. If the passage quoted from the declaration given out by the late king, while he was prince of Orange, did not come up to that for which he quoted it, he ought not to be censured because his quotation did not fully prove his point. As for his invective against the dissenters and the toleration, they laboured to turn that off, by saying he did not reflect on what was allowed by law, but on the permission of, or the not punishing, many who published impious and blasphemous books. And a collection was made of passages in books full of crude impiety and of bold opinions. This gave great offence to many, who thought that this was a solemn publishing of so much impiety to the nation, by which more mischief would be done than by the books themselves ; for most of them had been neglected, and known only to a small number of those who encouraged them ; and the authors of many of these books had been prosecuted and punished for them. As to those parts of the sermon that set out the danger the church was in, though both houses had some years ago voted it a great offence, to say it was in danger, they said it might have been in none four years ago, when these votes passed, and yet be now in danger : the greatest of all dangers was to be apprehended from the wrath of God for such impieties. They said the reflections on the administration were not meant of those employed immediately by the queen, but of men in inferior posts. If his words seemed capable of a bad sense, they were also capable of a more innocent one ; and every man was allowed to put any construction on his words that they could bear. When the counsel had ended their defence, Sacheverel concluded it with a speech, which he read with much bold heat ; in which, with many solemn asseverations, he justified his intentions towards the queen and her government : he spoke with respect, both of the revolution and the protestant succession ; he insisted most on condemning all resistance, under any pretence whatsoever, without mentioning the exception of extreme necessity, as his counsel had done ; he said it was the doctrine of the church in which he was bred up ; and added many pathetical expressions, to move the audience to compassion. This had a great effect on the weaker sort, while it possessed those, who knew the man and his ordinary discourses, with horror, when they heard him affirm so many falsehoods, with such solemn appeals to God. It was very plain the speech was made for him by others ; for the style was correct, and far different from his own.

During the trial, the multitudes that followed him all the way as he came, and as he went back, showed a great concern for him, pressing about him, and striving to kiss his hand. Money was thrown among them, and they were animated to such a pitch of fury, that they went to pull down some meeting-houses, which was executed on five of them, as far as burning all the pews in them. This was directed by some of better fashion, who followed the mob in hackney coaches, and were seen sending messages to them. The word, upon which all shouted, was "The Church and Sacheverel !" and such as joined not in the shout were insulted and knocked down. Before my own door one, with a spade, cleft the skull of another, who would not shout as they did. There happened to be a meeting-house near me, out of which they drew every thing that was in it, and burned it before the door of the house. They threatened to do the like execution on my house ; but the noise of the riot coming to court, orders were sent to the guards, to go about and disperse the multitudes and secure the public peace. As the guards advanced the people ran away, some few were only taken : these were afterwards prosecuted, but the party showed a violent concern for them : two of them were condemned as guilty of high treason, small fines were set on the rest, but

no execution followed; and after some months, they were pardoned. And indeed this remissness in punishing so great a disorder was looked on as the preparing and encouraging men to new tumults. There was a secret management in this matter that amazed all people; for though the queen, upon an address made to her by the house of commons, set out a proclamation, in which this riot was with severe words laid upon papists and non-jurors, who were certainly the chief promoters of it, yet the proceedings afterwards did not answer the threatenings of the proclamation.

When Sacheverel had ended his defence, the managers for the house of commons replied, and showed very evidently that the words of his sermon could not reasonably bear any other sense but that for which they had charged him. This was an easy performance, and they managed it with great life; but the humour of the town was turned against them, and all the clergy appeared for Sacheverel. Many of the queen's chaplains stood about him, encouraging and magnifying him; and it was given out that the queen herself favoured him; though, upon my first coming to town, which was after the impeachment was brought up to the lords, she said to me that it was a bad sermon, and that he deserved well to be punished for it. All her ministers, who were in the house of commons, were named to be managers, and they spoke very zealously for public liberty, justifying the revolution. Holt, the lord chief justice of the king's bench, died during the trial. He was very learned in the law, and had upon great occasions showed an intrepid zeal in asserting its authority; for he ventured on the indignation of both houses of parliament by turns, when he thought the law was with him. He was a man of good judgment and great integrity, and set himself with great application to the functions of that important post\*. Immediately upon his death Parker was made lord chief justice. This great promotion seemed an evident demonstration of the queen's approving the prosecution; for none of the managers had treated Sacheverel so severely as he had done: yet secret whispers were very confidently set about that, though the queen's affairs put her on acting the part of one that was pleased with the scene, yet she disliked it all, and would take the first occasion to show it.

After the trial was ended, the debate was taken up in the house of lords. It stuck long on the first article. None pretended to justify the sermon, or to assert absolute non-resistance: all who favoured him went upon this, that the duty of obedience ought to be delivered in full and general words, without putting in exceptions, or supposing odious cases: this had

\* Sir John Holt was the son of sir Thomas Holt, who never rose above the dignity of a serjeant-at-law. He was born in 1642, at Thame. His youth gave no promonitions of his maturer excellence, for he was unmanageably wild, both at Abingdon school, and Oriel college, Oxford. No sooner had he been called to the bar by the benchers of Gray's inn, and fairly embarked in his profession, than his application to his studies became unwearied. He rapidly attained the degree of a serjeant, and was chosen recorder of London; but resigned this latter office in 1687, being resolved not to submit to support the arbitrary measures of James the Second. When the convention met for the purpose of arranging the conditions for William to succeed to the vacant throne, Holt, with four other barristers, Maynard, Pollexfen, Bradford, and Atkinson, were selected by the peers to assist with their advice. In 1689, he reached the greatest elevation in his profession that he chose to accept, being in that year advanced to the chief-justiceship of the king's bench. An offer was made to him of the lord chancellorship, but he replied, "I never had but one cause in chancery, and, as I lost that, I cannot think myself qualified for so great a trust." No sounder lawyer ever sat in Westminster Hall; none ever more undauntedly maintained the dignity of a judge and the liberties of the people. In the Banbury cause he told the house of lords that they should respect the laws which had made them so great.—Presiding over that law, he should not regard their decisions, nor give them reasons for his conduct. He similarly defied the house of commons. They sent

to demand of him reasons and explanations for his decision in an election cause, but he would not give any. The speaker and some of the members came into his court to urge their message, but he said to them, "I sit here to administer justice; if you had the whole house of commons in your belly, Mr. Speaker, I should disregard you; and, if you do not immediately retire, I will commit you, and those with you."

An old decrepid woman being arraigned before him for witchcraft, he enquired how it was proved, and being answered that it was by a spell, he asked to see it, and a piece of parchment was handed to him. Having interrogated the prisoner as to how she obtained it, she told him that a young gentleman gave it to her, as a cure for her daughter's ague, which it had cured, and many others. "I am glad of it," said Holt; and then turning to the jury, he added, "Gentlemen, when I was young, thoughtless, and had spent my money, I, and some companions equally unthinking, went to this woman's house, then a public one; having no money to pay our reckoning, I hit upon a stratagem to get off scot free. Seeing her daughter ill, I pretended I had a spell to cure her. I wrote the classic line you see; so that if any one is punishable, it is I, and not the prisoner." She was acquitted, and the chief-justice amply recompensed her for the deceit he had used towards her in former years. This admirable man died in 1711, and was buried in Redgrave church, Suffolk, where there is a fine monument to his memory, and his statue, life size, sitting in his robes.—*Life*, published in 1764; *Noble's Contin. of Grainger*.

been the method of all our divines. Pains were also taken to show that his sermon did not reflect on the revolution. On the other hand it was said, that since the revolution had happened so lately, and was made still the subject of much controversy, those absolute expressions did plainly condemn it. The revolution was the whole progress of the turn, from the prince of Orange's landing, till the act of settlement passed. The act of parliament expressed what was meant by the abdication and the vacancy of the throne; that it did not only relate to king James's withdrawing himself, but to his ceasing to govern according to our constitution and laws, setting up his mere will and pleasure as the measure of his government. This was made plainer by another clause in the acts then passed, which provided, that if any of our princes should become papists, or marry papists, the subjects were in those cases declared to be free from their allegiance. Some of the bishops spoke in this debate on each side. Hooper, bishop of Bath and Wells, spoke in excuse of Sacheverel: but Talbot, bishop of Oxford\*; Wake, bishop of Lincoln; Trimnel, bishop of Norwich; and myself, spoke on the other side. We showed the falsehood of an opinion, too commonly received, that the church of England had always condemned resistance, even in the cases of extreme tyranny. The books of the Maccabees, bound in our bibles, and approved by our articles (as containing examples of life and instruction of manners, though not as any part of the canon of the Scripture), contained a full and clear precedent for resisting and shaking off extremity. The Jews, under that brave family, not only defended themselves against Antiochus, but formed themselves into a free and new government. Our homilies were only against wilful rebellion, such as had been then against our kings, while they were governing by law. But at that very time queen Elizabeth had assisted first the Scotch and then the French, and to the end of her days continued to protect the States, who not only resisted, but, as the Maccabees had done, shook off the Spanish yoke, and set up a new form of government: in all this she was not only justified by the best writers of that time, such as Jewel and Bilson, but was approved and supported in it; both her parliaments and convocations gave her subsidies to carry on those wars. The same principles were kept up all king James's reign: in the beginning of king Charles's reign he protected the Rochellers, and asked supplies from the parliament to enable him to do it effectually; and ordered a fast and prayers to be made for them. It is true, soon after that, new notions of absolute power, derived from God to kings, were taken up: at the first rise given to these by Manwaring, they were condemned by a sentence of the lords; and though he submitted and retracted his opinion, yet a severe censure passed upon him. But during the long continuance of parliaments that followed, this doctrine was more favoured: it was generally preached up, and many things were done pursuant to it, which put the nation into the great convulsions that followed in our civil wars. After these were over, it was natural to return to the other extreme, as courts naturally favour such doctrines. King James trusted too much to it; yet the very assertors of that doctrine were the first who pleaded for resistance, when they thought they needed it. Here was matter for a long debate. It was carried, by a majority of seventeen, that the first article was proved. The party that was for Sacheverel made no opposition to the votes upon the following articles, but contented themselves with protesting against them. The lords went down to the hall, where the question being put upon the whole impeachment, guilty or not guilty, fifty-two voted him not guilty, and sixty-nine voted him guilty.

The next debate was what censure ought to pass upon him; and here a strange turn appeared: some seemed to apprehend the effects of a popular fury, if the censure was severe; to others it was said that the queen desired it might be mild; so it was proposed to suspend him from preaching for one year, others were for six years; but by a vote it was fixed to three years. It was next moved that he should be incapable of all preferment for those

\* Dr. William Talbot was born at Stourton Castle, in Staffordshire, during the year 1659. Whilst at Oriel college, Oxford, he particularly distinguished himself. The kindness of his distant relative, the duke of Shrewsbury, gave him the opportunity to obtain the court patronage. Queen Mary admired him as a pulpit orator, which led the way to the bishopric of Oxford, to which he was

preferred in 1699. In succession, he filled the sees of Salisbury and Durham. His generosity exceeded his princely income, but his son being lord chancellor of England supplied his pecuniary deficiencies. He died in 1730.—Hutchinson's Hist. of Durham Noble's Contin. of Granger.



three years : upon that the house was divided, fifty-nine were for the vote and sixty were against it. So that being laid aside, the sermon was ordered to be burnt in the presence of the lord mayor and the sheriffs of London, and this was done ; only the lord mayor, being a member of the house of commons, did not think he was bound to be present. The lords also voted that the decrees of the university of Oxford, passed in 1683, in which the absolute authority of princes and the unalterableness of the hereditary right of succeeding to the crown were asserted in a very high strain, should be burnt with Sacheverel's sermon. The house of commons likewise ordered the impious collection of blasphemous expressions that Sacheverel had printed as his justification to be also burnt.

When this mild judgment was given, those who had supported him during the trial expressed an inconceivable gladness, as if they had got a victory ; bonfires, illuminations, and other marks of joy appeared, not only in London, but over the whole kingdom.

This had yet greater effects : addresses were set on foot from all the parts of the nation, in which the absolute power of our princes was asserted, and all resistance was condemned, under the designation of antimonarchical and republican principles : the queen's hereditary right was acknowledged, and yet a zeal for the protestant succession was likewise pretended, to make those addresses pass the more easily with unthinking multitudes. Most of these concluded with an intimation of their hopes that the queen would dissolve the present parliament, giving assurances that, in a new election, they would choose none but such as should be faithful to the crown and zealous for the church. These were at first more coldly received ; for the queen either made no answer at all, or made them in very general words. Addresses were brought, upon the other hand, magnifying the conduct of the parliament, and expressing a zeal for maintaining the revolution and the protestant succession.

In the beginning of April the parliament was prorogued, and the queen, in her speech thereupon, expressed her concern that there was cause given for that which had taken up so much of their time, wishing that all her people would be quiet and mind their own business ; adding, that in all times there was too much occasion given to complain of impiety, but that she would continue that zeal which she had hitherto expressed for religion and for the church. This seemed to look a different way from the whispers that had been set about. Soon after that she made a step that revived them again. The duke of Shrewsbury had gone out of England in the end of the former reign, thinking, as he gave out, that a warmer climate was necessary for his health. He stayed several years at Rome, where he became acquainted with a Roman lady ; and she, upon his leaving Rome to return to England, went after him to Augsburg, where she overtook him, and declared herself a protestant ; upon which he married her there, and came with her back to England in the year 1706. Upon his return, the whigs lived in civilities with him ; but they thought his leaving England, and his living so long out of it, while we were in so much danger at home, and his strange marriage, gave just cause of suspicion. The duke of Marlborough and the lord Godolphin lived still in friendship with him, and studied to overcome the jealousies that the whigs had of him ; for they generally believed that he had advised the late king to the change he made in his ministry towards the end of his reign. He seemed not to be concerned at the distance in which he was kept from business, but in the late trial he left the whigs in every vote ; and a few days after the parliament was prorogued, the queen, without communicating the matter to any of her ministers, took the chamberlain's white staff from the marquis of Kent (whom, in recompense for that, she advanced to be a duke), and gave it to the duke of Shrewsbury. This gave a great alarm ; for it was upon that concluded that a total change of the ministry would quickly follow : the change of principles that he had discovered in the trial was imputed to a secret management between him and Harley, with the new favourite. The queen's inclination to her, and her alienation from the duchess of Marlborough, did increase, and broke out in many little things not worth naming : upon that, the duchess retired from the court, and appeared no more at it. The duke of Shrewsbury gave the ministers very positive assurances that his principles were the same they had been during the last reign, and were in no respect altered. Upon which he desired to enter into confidences with them ; but there was now too much ground given for suspicion.

During this winter I was encouraged by the queen to speak more freely to her of her affairs than I had ever ventured to do formerly. I told her what reports were secretly spread of her through the nation, as if she favoured the design of bringing the pretender to succeed to the crown, upon a bargain that she should hold it during her life: I was sure these reports were spread about by persons who were in the confidence of those that were believed to know her mind: I was well assured that the jacobites of Scotland had, upon her coming to the crown, sent up one Ogilby, of Boyne, who was in great esteem among them, to propose the bargain to her; he, when he went back, gave the party full assurances that she accepted of it: this I had from some of the lords of Scotland, who were then in the secret with the professed jacobites. The earl of Cromarty made a speech in parliament, as was formerly mentioned, contradicting this, and alluding to the distinction of the calvinists, made between the secret and the revealed will of God. He assured them the queen had no secret will, contrary to that which she declared. Yet at the same time his brother gave the party assurances to the contrary. I told the queen all this; and said, if she was capable of making such a bargain for herself, by which her people were to be delivered up and sacrificed after her death, as it would darken all the glory of her reign, so it must set all her people to consider of the most proper ways of securing themselves, by bringing over the protestant successors; in which I told her plainly I would concur, if she did not take effectual means to extinguish those jealousies. I told her, her ministers had served her with that fidelity, and such success, that her making a change among them would amaze all the world. The glory of queen Elizabeth's reign arose from the firmness of her counsels and the continuance of her ministers; as the three last reigns, in which the ministry was often changed, had suffered extremely by it. I also showed her, that if she suffered the pretender's party to prepare the nation for his succeeding her, she ought not to imagine that, when they thought they had fixed that matter, they would stay for the natural end of her life; but that they would find ways to shorten it: nor did I think it was to be doubted, but that, in 1708, when the pretender was upon the sea, they had laid some assassins here, who, upon the news of his landing, would have tried to despatch her. It was certain that their interest led them to it, as it was known that their principles did allow of it. This, with a great deal more to the same purpose, I laid before the queen. She heard me patiently: she was for the most part silent; yet, by what she said, she seemed desirous to make me think she agreed to what I had laid before her; but I found afterwards it had no effect upon her: yet I had great quiet in my own mind, since I had, with an honest freedom, made the best use I could have of the access I had to her.

The duke of Marlborough went beyond sea in February, to prepare all matters for an early campaign, designing to open it in April, which was done. The French had wrought so long upon their lines, that it was thought they would have taken as much care in maintaining them; but, upon the advance of our army, they abandoned them. And though they seemed resolved to make a stand upon the Scarp, yet they ran from that likewise; and this opened the way all on to Douay: so that was invested. The garrison was eight thousand strong, well furnished with every thing necessary to make a brave defence: the besieged sallied out often, sometimes with advantage, but much oftener with loss. It was the middle of May before the French could bring their army together: it appeared that they resolved to stand upon the defensive, though they had brought up together a vast army of two hundred battalions and three hundred squadrons. They lay before Arras, and advanced to the plains of Lens. Villars commanded, and made such speeches to his army, that it was generally believed he would venture on a battle, rather than look on and see Douay lost. The duke of Marlborough and prince Eugene posted their army so advantageously, both to cover the siege and to receive the enemy, that he durst not attack them; but after he had looked on a few days, in which the two armies were not above a league distant, he drew off. So the siege going on, and no relief appearing, both Douay and the Fort Escarp capitulated on the fourteenth of June.

I have now completed my first design in writing, which was to give a history of our affairs for fifty years, from the twenty-ninth of May, 1660. So if I confined myself to that I should here give over. But the war seeming now to be near an end, and the peace, in

which it must end, being that which will probably give a new settlement to all Europe, as well as to our affairs, I resolve to carry on this work to the conclusion of the war. And therefore I begin with the progress of the negotiations for peace, which seemed now to be prosecuted with warmth.

All the former winter an intercourse of letters was kept up between Pettecum and Torcy, to try if an expedient could be found to soften that article for the reduction of Spain to the obedience of king Charles, which was the thirty-seventh article of the preliminaries. It still was kept in agitation upon the foot of offering three towns to be put into the hands of the allies, to be restored by them when the affairs of Spain should be settled; otherwise to be still retained by them. The meaning of which was no other than that France was willing to lose three towns more, in case king Philip should keep Spain and the West Indies. The places therefore ought to have borne some equality to that for which they were to be given in pawn; but the answers the French made to every proposition, showed they meant nothing but to amuse and distract the allies. The first demand the allies made was of the places in Spain, then in the hands of the king of France; for the delivering up these might have been a good step to the reduction of the whole. But this was flatly refused; and, that the king of France might put it out of his power to treat about it, he ordered his troops to be drawn out of all the strong places in Spain, and, soon after, out of that kingdom, pretending he was thereby evacuating it; though the French forces were kept still in the neighbourhood: so a show was made of leaving Spain to defend itself. And upon that king Philip prevailed on the Spaniards to make great efforts, beyond what was ever expected of them. This was done by the French king to deceive both the allies and his own subjects, who were calling loudly for a peace: and it likewise eased him of a great part of the charge that Spain had put him to. But while his troops were called out of that kingdom, as many deserted, by a visible connivance, as made up several battalions; and all the Walloon regiments, as being subjects of Spain, were sent thither: so that king Philip was not weakened by the recalling the French troops, and by this means the places in Spain could not be any more demanded. The next, as most important towards the reduction of Spain, was the demand that Bayonne and Perpignan might be put into the hands of the allies, with Thionville on the side of the empire. By the two former, all communication between France and Spain would be cut off, and the allies would be enabled to send forces thither with less expense and trouble. But it was said these were the keys of France, which the king could not part with: so it remained to treat of towns on the frontier of the Netherlands; and even there they excepted Douay, Arras, and Cambray. So that all their offers appeared illusory, and the intercourse by letters was for some time let fall. But in the end of the former year, Torcy wrote to Pettecum, to desire either that passes might be granted to some ministers to come to Holland, to go on with the negotiation, or that Pettecum might be suffered to go to Paris, to see if an expedient could be found: and the States consented to the last. In the meanwhile, king Philip published a manifesto, protesting against all that should be transacted at the Hague to his prejudice, declaring his resolution to adhere to his faithful Spaniards. He also named plenipotentiaries to go in his name to the treaty, who gave the States notice of their powers and instructions; and, in a letter to the duke of Marlborough, they gave intimations how grateful king Philip would be to him, if by his means these his desires might be complied with; as the like insinuations had been often made by the French agents. But no notice was taken of this message from king Philip, nor was any answer given to it. Pettecum, after some days' stay at Paris, came back without the pretence of offering any expedient, but brought a paper that seemed to set aside the preliminaries; yet it set forth that the king was willing to treat on the foundation of the concessions made in them to the allies, and that the execution of all the articles should begin after the ratification. This destroyed all that had been hitherto done; and the distinction the king had formerly made between the spirit and the letter of the partition treaty showed how little he was to be relied on. So the States resolved to insist both on the preliminaries, and on the execution of them, before a general treaty should be opened. By this message, all thoughts of a treaty were at a full stand. In the beginning of February another project was sent, which was an amplification of that brought by Pettecum; only the restoring the two electors was insisted on as a preliminary,



as also the restoring the upper palatinate to the elector of Bavaria ; but the allies still insisted on the former preliminaries. The court of France seeing that the States were not to be wrought on to go off from the preliminaries, sent another message to them that the king agreed to all preliminaries, except the thirty-seventh ; and if they would consent that his ministers should come and confer with them upon that article, he did not doubt but what should be proposed from him would be to their satisfaction. This seemed to give some hopes, so the States resolved to send the passports ; but they foresaw the ill effects of suffering the French ministers to come into their country, who, by their agents, were every where stirring up the people against the government, as if they were prolonging the war without necessity : so they appointed Gertruydenburg to be the place to which the French ministers were to come to treat with the deputies they should send to meet them.

The ministers sent by France were the marquis d'Uxelles and the abbot de Polignac ; and those from the States were Buys and Vanderdussen. The conferences began in March. The French proposed that the dominions in Italy, with the islands, should be given to one of the competitors for the Spanish monarchy, without naming which ; but it was understood that they meant king Philip. The deputies did not absolutely reject this, but showed that the emperor would never consent to parting with Naples, nor giving the French such footing in Italy : the French seemed to be sensible of this. The first conference ended upon the return of the courier whom they sent to Versailles. They moved for another conference ; and, upon several propositions, there were several conferences renewed. The king of France desisted from the demand of Naples, but insisted on that of the places on the coast of Tuscany. At last they desisted from that too, and insisted only on Sicily and Sardinia. So now the partition seemed as it were settled. Upon which, the deputies of the States pressed the ministers of France to give them solid assurances of king Philip's quitting Spain and the West Indies : to this (upon advertisement given to the court of France) they answered, that the king would enter into measures with them to force it. Many difficulties were started about the troops to be employed, what their number should be, and who should command them ; all which showed the execution would prove impracticable. Then they talked of a sum of money to be paid annually during the war ; and here new difficulties arose, both in settling the sum and in securing the payment. They offered the bankers of Paris ; but these must all break whensoever the king had a mind they should. So it plainly appeared all was intended only to divide the allies by this offer of a partition, to which the States consented, and at which the French hoped the house of Austria would have been provoked against them. The French asked an assurance of the deputies, that no other articles should be insisted on but those in the preliminaries. This the deputies positively refused ; for they had, by one of the preliminaries, reserved a power to all the allies to make further demands, when a general treaty should be opened : they said they themselves would demand no more, but they could not limit the rest from their just demands. This was another artifice to provoke the empire and the duke of Savoy, as if the States intended to force them to accept of such a peace as they should prescribe. In another conference, the States rejected the offer of a sum of money for carrying on the war in Spain, and therefore demanded that the French would explain themselves upon the subject of evacuating Spain and the West Indies, in favour of king Charles, before they could declare their intentions with relation to the partition ; and added, that all further conferences would be to no purpose till that was done.

The French were now resolved to break off the negotiation, and so they were pleased to call this demand of the States a formal rupture of the treaty ; and upon the return of an express that they sent to Versailles, they wrote a long letter to the pensioner, in the form of a manifesto ; and so returned back to France in the end of July. This is the account that both our ministers here and the States have published of that affair. The French have published nothing ; for they would not own to the Spaniards that they ever entered upon any treaty for a partition of their monarchy, much less for evacuating Spain. Whether France did ever design any thing by all this negotiation, but to quiet their own people, and to amuse and divide the allies, is yet to us a secret ; but if they ever intended a peace, the reason of their going off from it must have been the account they then had of our distractions

in England, which might make them conclude that we could not be in a condition to carry on the war.

The queen's intentions to make a change in her ministry now began to break out: in June, she dismissed the earl of Sunderland from being secretary of state, without pretending any malversation in him, and gave the seals to the lord Dartmouth. This gave the alarm both at home and abroad; but the queen, to lessen that, said to her subjects here, in particular to the governors of the bank of England, and wrote to her ministers abroad, that they should assure her allies that she would make no other changes; and said this herself to the minister whom the States had here. All these concurred to express their joy in this resolution, and joined to it their advice that she would not dissolve the parliament. This was represented by those who had never been versed in the negotiations of princes in an alliance as a bold intruding into the queen's councils; though nothing is more common than for princes to offer mutual advices in such cases. Two months after the change of the secretary of state, the queen dismissed the earl of Godolphin from being lord treasurer, and put the treasury in commission. Lord Powlet was the first in form, but Mr. Harley was the person with whom the secret was lodged; and it was visible he was the chief minister. And now it appeared that a total change of the ministry, and the dissolution of the parliament, were resolved on.

In the meanwhile Sacheverel, being presented to a benefice in North Wales, went down to take possession of it: as he passed through the countries, both going and coming, he was received and followed by such numbers, and entertained with such magnificence, that our princes in their progresses have not been more run after than he was. Great fury and violence appeared on many occasions, though care was taken to give his followers no sort of provocation. He was looked on as the champion of the church; and he showed as much insolence on that occasion as his party did folly. No notice was taken by the government of all these riots; they were rather favoured and encouraged than checked: all this was like a prelude to a greater scene that was to be acted at court. The queen came in October to council, and called for a proclamation, dissolving the parliament, which Harcourt (now made attorney-general in the room of Montague, who had quitted that post) had prepared. When it was read, the lord chancellor offered to speak; but the queen rose up, and would admit of no debate, and ordered the writs for a new parliament to be prepared. At that time she dismissed the lord Somers, and in his room made the earl of Rochester lord president of the council. She sent to the duke of Devonshire for the lord steward's staff, and gave it to the duke of Buckingham. Mr. Boyle was dismissed from being secretary of state; and Mr. St. John had the seals\*: the earl of Derby was removed from being chancellor of the duchy of Lancaster, and was succeeded by the lord Berkeley. The lord chancellor came, upon all these removes, and delivered up the great seal. The queen did not look for this, and was surprised at it; and not knowing how to dispose of it, she, with an unusual earnestness, pressed him to keep it one day longer; and the day following she, having considered the matter with her favourites, Mrs. Masham and Mr. Harley, received it very readily; and it was soon given to sir Simon Harcourt. The earl of Wharton delivered up his commission of lord lieutenant of Ireland, and that was given to the duke of Ormond. And the earl of Ormond, with some of the commissioners of the admiralty, withdrew from that board, in whose room others were put. So sudden and so entire a change of the ministry is scarcely

\* Henry St. John, afterwards Viscount Bolingbroke, was possessed of a brilliant wit, that prevented the really superficial nature of his mind being detected. Disbelieving the Christian religion without having justly examined its evidences, his principles were unstable, and he passed through life with no more worthy director than his own selfish interests. He was a tory, until his ambition was disappointed, and then he ranked himself with their opponents. Justly suspected of being inimical to the Hanover interest, his papers were seized, upon which he fled to France, and became the pretender's secretary. A traitor is always suspected, even by those in whose favour he forfeits his honour.—he was attainted in England, and soon after

discarded by his new master. In 1723 he obtained a pardon, but his attainder being unreversed, he was incapable of sitting in the house of peers. Irritated by this, he virulently opposed the ministry, particularly in a periodical called "The Craftsman." He was born at Battersea in 1678, and died there in 1751. Intimate with Swift, Pope, and the other wits of the day, his miscellaneous letters are found in many of the biographies of his literary contemporaries. Much information relative to public affairs is contained in his political correspondence, which has been published in two quarto volumes. His second wife was a niece of madame de Maintenon.—*Biog. Britannica.*

to be found in our history, especially where men of great abilities had served, both with zeal and success, insomuch that the administration of all affairs, at home and abroad, in their hands, was not only without exception, but had raised the admiration of all Europe. All this rose purely from the great credit of the new favourites, and the queen's personal distaste to the old ones. The queen was much delighted with all these changes, and seemed to think she was freed from the chains the old ministry held her in: she spoke of it to several persons as a captivity she had been long under. The duke of Somerset had very much alienated the queen from the old ministry, and had no small share in their disgrace; but he was so displeased with the dissolution of the parliament, and the new model of the ministry, that, though he continued some time master of the horse, he refused to sit any more in council, and complained openly of the artifices that had been used to make him instrumental to other people's designs, which he did, among others, to myself.

The next, and indeed the greatest, care of the new ministry was the managing the elections to parliament. Unheard-of methods were used to secure them; in London and in all the parts of England, but more remarkably in the great cities, there was a vast concourse of rude multitudes brought together, who behaved themselves in so boisterous a manner, that it was not safe, and in many places not possible, for those who had a right to vote, to come and give their votes for a whig; open violence was used in several parts: this was so general through the whole kingdom, all at the same time, that it was visible the thing had been for some time concerted, and the proper methods and tools had been prepared for it. The clergy had a great share in this; for, besides a course for some months of inflaming sermons, they went about, from house to house, pressing their people to shew on this great occasion their zeal for the church, and now, or never, to save it. They also told them in what ill hands the queen had been kept, as in captivity, and that it was a charity, as well as their duty to free her from the power the late ministry exercised over her.

While the poll was taken in London, a new commission for the lieutenancy of the city was sent in, by which a great change was made: tories were put in, and whigs were left out; in a word, the practice and violence used now in elections went far beyond any thing that I had ever known in England. And by such means, above three parts in four of the members returned to parliament may at any time be packed. And, if free elections are necessary to the being of a parliament, there was great reason to doubt if this was a true representative duly elected.

The bank was the body to which the government of late had recourse, and was always readily furnished by it; but their credit was now so sunk, that they could not do as they had done formerly: actions that some months before were at 130, sunk now so low as to 95, and did not rise above 101 or 102 all the following winter. The new ministers gave it out that they would act moderately at home and steadily abroad, maintain our alliances, and carry on the war. But before I enter on the session of parliament, I will give an account of affairs abroad.

King Philip went to Arragon to his army, and gave it out that he was resolved to put all to the decision of a battle with king Charles, who was likewise come to head his army: they lay so near one another, that king Philip cannonaded the camp of his enemies, but his men were beat off with loss, and drew away to a greater distance; however, before the end of July, there was an action of great importance near Almanara. The main body of king Philip's horse designed to cut off a part of king Charles's foot, that was separated from the cavalry commanded by Stanhope. He drew his whole body together; and though he was much inferior in number, yet he sent to king Charles for orders to engage the enemy. It was not without some difficulty, and after some reiterated pressing instances, that he got leave to fall on.

As the two bodies were advancing one against another, Stanhope rode at the head of his body, and the Spanish general advanced at the head of his troops. The two generals began the action; in which, very happily for Stanhope, he killed the Spaniard; and his men, animated with the example and success of their general, fell on and broke the Spanish horse so entirely, that king Philip lost the best part of his cavalry in that action; upon which he retired towards Saragossa, but was closely followed by king Charles: and on the twentieth



of August they came to a total engagement, which ended in an entire defeat: and by this means Arragon was again in king Charles's hands. King Philip got off with a very small body to Madrid; but he soon left it, and retired with all the tribunals following him to Valladolid, and sent his queen and son to Victoria. Some of his troops got off in small bodies; and these were in a little time brought together, to the number of about ten thousand men; the troops that they had on the frontier of Portugal were brought to join them, with which they soon made up the face of an army.

King Charles made all the haste he could to Madrid, but found none of the grandees there; and it appeared that the Castilians were firmly united to king Philip, and resolved to adhere to him at all hazards. The king of France now showed he was resolved to maintain his grandson, since, if he had ever intended to do it, it was now very easy to oblige him to evacuate Spain. On the contrary, he sent the duke of Vendome to command the army there; and he ordered some troops to march into Catalonia, to force king Charles to come back, and secure that principality. King Charles continued till the beginning of December in Castile. In all that time no care was taken by the allies to supply or support him. We were so engaged in our party-matters at home, that we seemed to take no thought of things abroad, and without us nothing could be done. The court of Vienna was so apprehensive of the danger from a war likely to break out between the grand seignior and the czar, that they would not diminish their army in Hungary. After king Charles left his army, Starembergh seemed resolved to take his winter quarters in Castile, and made a show of fortifying Toledo; but for want of provision, and chiefly for fear that his retreat to Arragon might be cut off, he resolved to march back to the Ebro: king Philip marched after him. Starembergh left Stanhope some hours' march behind him, and he took up his quarters in an unfortified village, called Brihuega; but, finding king Philip was near him, he sent his aide-de-camp to let Starembergh know his danger, and to desire his assistance. Starembergh might have come in time to have saved him, but he moved so slowly, that it was conjectured he envied the glory Stanhope had got, and was not sorry to see it eclipsed, and therefore made not that haste he might and ought to have done.

Stanhope and his men cast up intrenchments, and defended these very bravely as long as their powder lasted; but in conclusion they were forced to surrender themselves prisoners of war. Some hours after that, Starembergh came up; and though the enemy were more than double his number, yet he attacked them with such success that he defeated them quite, killed seven thousand of their men, took their cannon and baggage, and stayed a whole day in the field of battle. The enemy drew back; but Starembergh had suffered so much in the action, that he was not in a condition to pursue them; nor could he carry off their cannon for want of horses, but he nailed them up, and by slow marches got to Saragoessa, the enemy not thinking it convenient to give him any disturbance. As he did not judge it safe to stay long in Arragon, so, in the beginning of January, he marched into Catalonia; but his army had suffered so much, both in the last action at Villa Viciosa and in the march, that he was not in a condition to venture on raising the siege of Gironne, which was then carried on by the duke of Noailles: and no relief coming, the garrison, after a brave defence, was forced to capitulate; and by this means Catalonia was open to the enemy on all sides.

The Spanish grandees seemed to be in some apprehensions of their being given up by the French, and there was a suspicion of some caballing among them. Upon which, the duke of Medina Celi, king Philip's chief minister, was sent a close prisoner to the castle of Segovia, and was kept there very strictly, none being admitted to speak to him. He was not brought to any examination; but after he had been some months in prison, being often removed from one place to another, it was at last given out that he died in prison, not without the suspicion of ill practices. Nothing passed on the side of Piedmont, the duke of Savoy complaining still of the imperial court, and upon that refusing to act vigorously.

After Douay was taken, our army sat down before Bethune; and that siege held them a month, at the end of which the garrison capitulated; and our army sat down at one and the same time before Aire and St. Venant, to secure the head of the Lys. St. Venant was taken in a few weeks; but the marshy ground about Aire made that a slower work: so

that the siege continued there about two months before the garrison capitulated. This campaign, though not of such lustre as the former, because no battle was fought, yet was by military men looked on as a very extraordinary one in this respect, that our men were about a hundred and fifty days in open trenches, which was said to be a thing without example. During these sieges, the French army posted themselves in sure camps, but did not stir out of them; and it was not possible to engage them into any action. Nothing considerable passed on the Rhine, they being equally unable to enter upon action on both sides.

The czar carried on the war in Livonia with such success, that he took both Riga and Revel; and, to add to the miseries of Sweden, a great plague swept away many of their people. Sweden itself was left exposed to the Danes and the czar: but their dominions in Germany were secured by the guaranty of the allies: yet, though the government of Sweden did accept of this provisionally, till the king's pleasure should be known, it was not without difficulty that he was prevailed on to give way to it.

I come now to give an account of the session of parliament, which was opened the twenty-fifth of November. The queen, in her speech, took no notice of the successes of this campaign, as she had always done in her former speeches; and instead of promising to maintain the toleration, she said she would maintain the indulgence granted by law to scrupulous consciences; this change of phrase into Sacheverel's language was much observed. The lords made an address of an odd composition to her, which showed it was not drawn by those who had penned their former addresses. Instead of promising that they would do all that was possible, they only promised to do all that was reasonable, which seemed to import a limitation, as if they had apprehended that unreasonable things might be asked of them; and the conclusion was in a very cold strain of rhetoric: they ended with saying, "They had no more to add." The commons were more hearty in their address; and in the end of it they reflected on some late practices against the church and state. Bromley was chosen speaker without any opposition\*; there were few whigs returned, against whom petitions were not offered; there were in all about an hundred; and by the first steps the majority made it appear that they intended to clear the house of all who were suspected to be whigs. They passed the bill for four shillings in the pound, before the short recess at Christmas.

During that time, the news came of the ill success in Spain; and this giving a handle to examine into that part of our conduct, the queen was advised to lay hold on it: so, without staying till she heard from her own ministers, or her allies, as was usual, she laid the matter before the parliament as the public news brought it from Paris; which was afterwards found to be false in many particulars; and told them what orders she had given upon it, of which she hoped they would approve. This was a mean expression from the sovereign, not used in former messages, and seemed to be below the dignity of the crown. She ordered some regiments to be carried over to Spain, and named the earl of Peterborough to go to the court of Vienna, to press them to join in the most effectual measures for supporting king Charles there. The lords, in their answer to this message, promised that they would examine into the conduct of the war in Spain, to see if there had been any mismanagement in any part of it; and they entered immediately into that enquiry. They began it with an address to the queen, to delay the despatch of the earl of Peterborough till the house might receive from him such informations of the affairs of Spain as he could give them. This was readily granted, and he gave the house a long recital of the affairs of Spain, loading the earl of Galway with all the miscarriages in that war. And in particular he said, that in a council of war in Valencia, in the middle of January, 1706-7, the earl of Galway had pressed the pushing an offensive war for that year; and that the lord Tyrawly and Stanhope had concurred with him in that; whereas he himself was for lying on a defensive war for that year in Spain: he said, this resolution was carried by those three against the king of Spain's own mind; and he imputed all the misfortunes that followed in Spain to this resolution so taken. Stanhope had given an account of the debates in that council to the queen; and the earl of Sunderland, in answer to his letter, had written by the queen's order that she approved of

\* This was the right honourable William Bromley, noticed in a previous note, and who unsuccessfully stood for the speakership in 1705.

their pressing for an offensive war ; and they were ordered to persist in that. The earl of Sunderland said in that letter, that the queen took notice that they three (meaning the earl of Galway, lord Tyrawly, and Stanhope) were the only persons that were for acting offensively ; and that little regard was to be had to the earl of Peterborough's opposition. Upon the strength of this letter, the earl of Peterborough affirmed that the whole council of war was against an offensive war. He laid the blame, not only of the battle of Almanza and all that followed in Spain upon those resolutions, but likewise the miscarriage of the design on Toulon ; for he told them of a great design he had concerted with the duke of Savoy, and of the use that might have been made of some of the troops in Spain, if a defensive war had been agreed to there. The earl of Galway and the lord Tyrawly were sent for ; and they were asked an account of that council at Valencia. They said there were many councils held there about that time ; and that both the Portuguese ambassador and general, and the envoy of the States, agreed with them in their opinions for an offensive war ; and they named some Spaniards that were of the same mind : they also said, that all along, even to the battle of Almanza, in all their resolutions the majority of the council of war voted for every thing that was done, and that they were directed to persist in their opinions, by letters written to them in the queen's name by the secretaries of state : that as to the words in the earl of Sunderland's letter, that spoke of them as the only persons that were of that opinion, these were understood by them as belonging only to the queen's subjects, and that they related more immediately to the earl of Peterborough, who opposed that resolution, but not to the rest of the council of war, for the majority of them was of their mind.

The earl of Galway gave in two papers ; the one related to his own conduct in Spain, the other was an answer to the relation given in writing by the earl of Peterborough. The house of lords was so disposed, that the majority believed every thing that was said by the earl of Peterborough ; and it was carried that his account was honourable, faithful, and just ; and that all the misfortunes in Spain were the effect and consequence of those resolutions taken in the middle of January\*.

From this censure on the earl of Galway, the debate was carried to that which was chiefly aimed at to put a censure on the ministry here. So it was moved that an address should be made to the queen, to free those, who were under an oath of secrecy, from that tie, that a full account might be laid before the house of all their consultations. The queen granted this readily, and came to the house, which was understood to be on design to favour that which was aimed at. Upon this the duke of Marlborough, the earls of Godolphin and Sunderland, and the lord Cowper, showed that, considering the force sent over to Spain under the lord Rivers, they thought an offensive war was advisable ; that the expense of that war was so great, and the prospect was so promising, that they could not but think an offensive war necessary ; and that to advise a defensive one would have made them liable to a just censure, as designing to protract the war. The design on Toulon was no way intermixed with the affairs of Spain ; the earl of Peterborough fancied he was in that secret, and had indeed proposed the bringing over some troops from Spain on that design, and had offered a scheme to the duke of Savoy, in which that was mentioned, and had sent that over to England. But though the duke of Savoy suffered that lord to amuse himself with his own project, which he had concerted for the attempt on Toulon, that duke had declared he would not undertake it, if it was not managed with the utmost secrecy, which was sacredly kept, and communicated only to those to whom it must be trusted for the execution of it. No troops from Spain were to be employed in that service, nor did it miscarry for want of men. These lords further said they gave their opinions in council, according to the best of their judgment ; their intentions were very sincere for the service of the queen, and to bring the war to a speedy conclusion. Yet a vote passed, that they were to blame for advising an offensive war in Spain, upon which the loss of the battle of Almanza followed, and that this occasioned the miscarrying of the design upon Toulon.

Here was a new and strange precedent of censuring a resolution taken in council, and of desiring the queen to order all that had passed in council to be laid before the house. In all

\* Ralph's "Answer to the Duchess of Marlborough's Account of her own Conduct" gives an impartial statement of the earl of Peterborough's services and conduct.



the hot debates in king Charles the First's reign, in which many resolutions taken in council were justly censurable, yet the passing any censure on them was never attempted by men, who were no way partial in favour of the prerogative; but they understood well what our constitution was in that point: a resolution in council was only the sovereign's act, who, upon hearing his counsellors deliver their opinions, forms his own resolution: a counsellor may indeed be liable to censure, for what he may say at that board, but the resolution taken there has been hitherto treated with a silent respect; but by this precedent it will be hereafter subject to a parliamentary enquiry. The queen was so desirous to have a censure fixed on her former ministry, that she did not enough consider the wound given to the prerogative by the way in which it was done.

After this was over, another enquiry was made into the force we had in Spain, at the time of the battle of Almanza: and it was found not to exceed fourteen thousand men, though the parliament had voted twenty-nine thousand for the war in Spain. This seemed to be a crying thing; tragical declamations were made upon it: but in truth that vote had passed here only in the January before the battle of Almanza, which was fought on the fourteenth of April. Now it was not possible to levy and transport men in so short a time. It was made appear that all the money, given by the parliament for that service, was issued out and applied to it, and that extraordinary diligence was used both in forwarding the levies and in their transportation: they were sent from Ireland, the passage from thence being both safest and quickest. All this and a great deal more to the same purpose was said, but it signified nothing; for when resolutions are taken up beforehand, the debating concerning them is only a piece of form, used to come at the question with some decency: and there was so little of that observed at this time, that the duke of Buckingham said in plain words, that they had the majority, and would make use of it, as he had observed done by others, when they had it on their side. So, though no examination had been made but into that single point of the numbers at Almanza, they came to a general vote, that the late ministry had been negligent in the management of the war in Spain, to the great prejudice of the nation; and they then ordered all their proceedings and votes to be put in an address, and laid before the queen. And though they had made no enquiry into the expense of that war, nor into the application of the money given by the parliament for it, yet in their address they mentioned the great profusion of money in that service. This they thought would touch the nation very sensibly; and they hoped the thing would be easily believed on their word. Protests were made against every vote in the whole progress of this matter. Some of these carried such reflections on the votes of the house, that they were expunged.

I never saw any thing carried on in the house of lords so little to their honour as this was; some who voted with the rest seemed ashamed of it. They said, somewhat was to be done to justify the queen's change of the ministry; and every thing elsewhere had been so well conducted as to be above all censure. So the misfortune of Almanza being a visible thing, they resolved to lay the load there. The management of the public treasure was exact and unexceptionable; so that the single misfortune of the whole war was to be magnified: some were more easily drawn to concur in these votes, because, by the act of grace, all those who had been concerned in the administration were covered from prosecution and punishment. So this was represented to some as a compliment that would be very acceptable to the queen, and by which no person could be hurt. They loaded singly the earl of Galway with the loss of the battle of Almanza, though it was resolved on in a council of war, and he had behaved himself in it with all the bravery and conduct that could be expected from a great general, and had made a good retreat, and secured Catalonia with inexpressible diligence. They also censured him for not insisting on the point of honour, in the precedence to be given to the English troops, as soon as the Portuguese army entered into Spain; but by our treaty with that crown the army was to be commanded by a Portuguese general, so it was not in his power to change the order of the army: if he had made the least struggle about it, the Portuguese, who were not easily prevailed on to enter into Spain, would have gladly enough laid hold of any occasion which such a dispute would have given them, and have turned back upon it; and so, by his insisting on such a punctilio, the whole design would have been lost. We had likewise, in our treaty with them, yielded expressly

the point of the flag in those seas, for which alone, on other occasions, we have engaged in wars ; so he had no reason to contest a lesser point. Yet a censure was likewise laid on this. And this was the conclusion of the enquiries made by the house of lords this session.

Harley, in the house of commons, led them to enquire into some abuses in the victualling the navy : they had been publicly practised for many years, some have said ever since the restoration : the abuse was visible, but connived at, that several expenses might be answered that way ; some have said, that the captain's tables were kept out of the gain made in it. Yet a member of the house, who was a whig, was complained of for this, and expelled the house ; and a prosecution was ordered against him ; but the abuse goes on still, as avowedly as ever ; here was a show of zeal, and a seeming discovery of fraudulent practices, by which the nation was deceived.

The money did not come into the treasury so readily as formerly, neither upon the act of four shillings in the pound, nor on the duty laid on malt ; so, to raise a quick supply, there were two bills passed, for raising three millions and a half by two lotteries, the first of 1,500,000*l.*, and the second of two millions, to be paid back in thirty-two years ; and for a fund, to answer this, duties were laid on hops, candles, leather, cards and dice, and on the postage of letters. In one branch of this, the house of commons seemed to break in upon a rule, that had hitherto passed for a sacred one. When the duty upon leather was first proposed, it was rejected by a majority, and so, by their usual orders, it was not to be offered again during that session ; but after a little practice upon some members, the same duty was proposed, with this variation, that skins and tanned hides should be so charged : this was leather in another name. The lotteries were soon filled up ; so, by this means, money came into the treasury : and indeed this method has never yet failed of raising a speedy supply. There was no more asked, though in the beginning of this session, the house had voted a million more than these bills amounted to ; which made some conclude there was a secret negotiation and prospect of a peace.

As the duke of Marlborough was involved in the general censure passed on the former ministry, so he had not the usual compliment of thanks for the successes of the former campaign : when that was moved in the house of lords, it was opposed with such eagerness by the duke of Argyle and others, that it was let fall : for this the duke of Marlborough was prepared by the queen ; who, upon his coming over, told him that he was not to expect the thanks of the two houses, as had been formerly : she added, that she expected he should live well with her ministers, but did not think fit to say any thing of the reasons she had for making those changes in her ministry : yet he shewed no resentments for all the ill usage he met with ; and, having been much pressed by the States and our other allies, to continue in the command of the army, he told me, upon that account, he resolved to be patient, and to submit to every thing, in order to the carrying on the war ; and finding the queen's prepossession against his duchess was not to be overcome, he carried a surrender of all her places to the queen \* : she was groom of the stole, had the robes, and the privy purse, in all which she had served with great economy and fidelity to the queen, and justice to those who dealt with the crown. The duchess of Somerset had the two first of these employments, and Mrs. Masham had the last †.

The house of commons found the encouragement given the palatines was so displeasing to

\* The duchess showed her chagrin upon this occasion most violently. She was a weak, passionate, proud woman, for even her own friends give her this character. Her insolence to queen Anne is demonstrated by her letter, given at p. 165 of the Defence of her Conduct, written under her superintendence, by Hooke. She endeavoured, but failed, to acquire a similar ascendancy over Caroline, the queen of George the First. Having failed, she treated her majesty with a petty insolence, that was every way pitiable. The queen viewed it in its proper light, and observed, at the palace, to sir Richard Onslow, " The cause is because I am mistress of this house, and she not." — Oxford ed. of this work ; Lord Walpole — Woolterton's Answer to Bolingbroke.

† Mrs. Masham was a poor relative of the duchess of Marlborough. She had been waiting woman to a lady Rivers, of Kent, and was placed by the duchess near the queen, because she thought she could trust her. Lord Dartmouth proposed that her husband should be raised to the peerage, but the queen replied, she never designed to make a great lady of her, for by so doing she should lose a useful servant from about her person ; a peeress could not lie on the floor, and do several inferior offices. The queen at length consented to the dignity being conferred, on condition that she continued to be her dresser. Lady Masham was vulgar and mean in her manners ; petulant and passionate. — Lord Dartmouth in Oxford edition of this work.

the people, that they ordered a committee to examine into that matter. The truth of this story was, that in the year 1708, about fifty palatines, who were Lutherans, and were ruined, came over to England; these were so effectually recommended to prince George's chaplains, that the queen allowed them a shilling a-day, and took care to have them transported to the plantations: they, ravished with this good reception, wrote over such an account of it, as occasioned a general disposition among all the poor of that country to come over, in search of better fortunes: and some of our merchants, who were concerned in the plantations, and knew the advantage of bringing over great numbers to people those desert countries, encouraged them with the promises of lands and settlements there. This being printed, and spread through those parts, they came to Holland in great bodies: the anabaptists there were particularly helpful to them, both in subsisting those in Holland, and in transporting them to England. Upon their coming over, the queen relieved them at first; and great charities were sent to support them: all the Tories declared against the good reception that was given them, as much as the Whigs approved of it. It happened at a bad season, for bread was then sold at double the ordinary price; so the poor complained, that such charities went to support strangers, when they needed them so much: the time of our fleet's sailing to the plantations was likewise at a great distance. The palatines expected to be all kept together in a colony, and became very uneasy when they saw that could not be compassed; some of them were both unactive and mutinous; and this heightened the outcry against them: some papists mixed among them, and came over with them; but they were presently sent back. Great numbers were sent to Ireland, but most of them to the plantations in North America, where it is believed their industry will quickly turn to a good account. The design was now formed to load the late administration all that was possible; so it was pretended that, in all that affair, there was a design against the church, and to increase the numbers and strength of the dissenters. It has indeed passed for an established maxim, in all ages, and in all governments, that the drawing of numbers of people to any nation, did increase its intrinsic strength; which is only to be measured by the multitude of the people that inhabit and cultivate it: yet the house of commons came to a sudden vote, that those who had encouraged and brought over the palatines, were enemies to the nation: and, because a letter, written by the earl of Sunderland, in the queen's name, to the council of trade, was laid before them, by which they were ordered to consider of the best methods of disposing of them, it was moved to lay the load of that matter on him, in some severe votes; yet this was put off for that time, and afterwards by several adjournments delayed, till at last it was let fall.

But while the heat, raised by this enquiry, was kept up, the commons passed a bill to repeal the act for a general naturalization of all protestants, which had passed two years before; pretending that it gave the encouragement to the palatines to come over, though none of them had made use of that act, in order to their naturalization. This was sent up to the lords: and the lord Guernsey, and some others, entertained them with tragical declamations on the subject; yet, upon the first reading of the bill, it was rejected. A bill, that was formerly often attempted, for disabling members of the house of commons to hold places, had the same fate.

Another bill for qualifying members, by having 600*l.* a-year for a knight of the shire, and 300*l.* a-year for a burgess, succeeded better: the design of this was to exclude courtiers, military men, and merchants, from sitting in the house of commons, in hopes that this being settled, the land interest would be the prevailing consideration, in all their consultations. They did not extend these qualifications to Scotland; it being pretended that estates there being generally small, it would not be easy to find men so qualified, capable to serve. This was thought to strike at an essential part of our constitution, touching the freedom of elections; and it had been, as often as it was attempted, opposed by the ministry, though it had a fair appearance of securing liberty, when all was lodged with men of estates: yet our gentry was become so ignorant, and so corrupt, that many apprehended the ill effects of this; and that the interest of trade, which indeed supports that of the land, would neither be understood nor regarded. But the new ministers resolved to be popular with those who promoted it; so it passed, and was much magnified, as a main part of our security for the future.



This accident was of great use to Harley; for the party formed against him, was ashamed to push a man who was thus assassinated by one that was studying to recommend himself to the court of France, and who was believed to have formed a design against the queen's person. Her health was at this time much shaken. She had three fits of an ague; the last was a severe one; but the progress of the disease was stopped by the bark.

The Tories continued still to pursue the memory of king William; they complained of the grants made by him, though these were far short of those which had been made by king Charles the Second; but that they might distinguish between those, whom they intended to favour, and others, against whom they were set, they brought in a bill, empowering some persons to examine all the grants made by him, and to report both the value of them, and the considerations upon which they were made: this was the method that had succeeded with them before, with relation to Ireland; so the bringing in this bill was looked on, as a sure step, for carrying the resumption of all the grants that they had a mind to make void. When it was brought up to the lords, the design appeared to be an unjust malice against the memory of our deliverer, and against those who had served him best; so upon the first reading of the bill it was rejected.

Their malice turned next against the earl of Godolphin: they found that the supplies given by parliament were not all returned, and the accounts of many millions were not yet passed in the exchequer; so they passed a vote, that the accounts of thirty-five millions yet stood out. This was a vast sum; but to make it up, some accounts in king Charles's time were thrown into the heap; the lord Ranelagh's accounts of the former reign were the greatest part; and it appeared that in no time accounts were so regularly brought up, as in the queen's reign. Mr. Bridge's accounts of fourteen or fifteen millions, were the great item, of which not above half a million was passed\*; but there were accounts of above eleven millions brought in, though not passed in form, through the great caution and exactness of the duke of Newcastle, at whose office they were to pass; and he was very slow, and would allow nothing without hearing counsel on every article. The truth is, the methods of passing accounts were so sure, that they were very slow; and it was not possible for the proper officers to find time and leisure to pass the accounts that were already in their hands. Upon this, though the earl of Godolphin had managed the treasury with an uncorruptness, fidelity, and diligence, that were so unexceptionable, that it was not possible to fix any censure on his administration: yet, because many accounts stood out, they passed some angry votes on that; but since nothing had appeared, in all the examination they had made, that reflected on him, or on any of the Whigs, they would not consent to the motion that was made, for printing that report; for by that, it would have appeared who had served well, and who had served ill.

When this session drew near an end, some were concerned to find that a body, chosen so much by the zeal and influence of the clergy, should have done nothing for the good of the church; so it being apparent, that in the suburbs of London, there were about two hun-

surgeon came, Harley asked, the knife having broken in one of the wounds, if he was in immediate danger, as in that case he would settle his affairs, for he did not fear death. This, says lord Dartmouth, was visible in his countenance, which was not in the least altered. After Guiscard was taken into another room, he wanted to speak with the duke of Ormond, who, with lord Dartmouth, went to him. The culprit expressed his sorrow for Mr. Harley, because he was truly a great man, and had much obliged him. He confessed he had intended to murder the duke of Marlborough. Lord Dartmouth evidently doubted his sanity.—Oxford edition of this work.

\* This gentleman, Mr. John Brydges, was afterwards, by descent, lord Chandos, and created by George the First, earl of Caernarvon and duke of Chandos. He inherited a very small income, but being made paymaster of the forces, he, although expensive in his habits, amassed in little more than ten years a fortune, amounting to nearly 700,000*l*. Again, being "a bubble to every project," and by a profuse expenditure, he was reduced, in a

few years, to indigence. "Yet he had parts of understanding and knowledge, experience of men and business, with a sedateness of mind, and gravity of deportment, which more qualified him for a wise man, than what the wisest men have generally possessed." (Mr. Speaker Onslow in Oxford edition of this work.) It is a fact, that he spent 200,000*l*. in the construction of his residence, Canons, at Stanmore Parva, in Middlesex. Pope foresaw that this expense was beyond its owner's fortune, and therefore it is not surprising that his prophetic verses relating to this mansion were fulfilled. His lines are—

"Another age shall see the golden ear  
Embrown the slope, and nod on the parterre;  
Deep harvests bury all his pride has planned,  
And laughing Ceres reassume the land."

The duke died in 1744, and within three years, Canons was sold piece-meal by auction, and pulled down. His property was very far from being in the ruined state mentioned by Mr. Onslow.

dred thousand people more than could possibly worship God in the churches built there, upon a message to them from the queen (to which the rise was given by an address to her from the convocation) they voted that fifty more churches should be built; and laid the charge of it upon that part of the duty on coals, that had been reserved for building of St. Paul's, which was now finished.

In the beginning of April, the dauphin and the emperor both died of the small-pox; the first on the third, the second on the sixth of the month: time will shew what influence the one or the other will have on public affairs. The electors were all resolved to choose king Charles emperor. A little before the emperor's death, two great affairs were fully settled; the differences between that court and the duke of Savoy were composed, to the duke's satisfaction: the other was of more importance; offers of amnesty and concessions were sent to the malcontents in Hungary, with which they were so well satisfied, that a full peace was likely to follow on it: and, lest the news of the emperor's death should be any stop to that settlement, it was kept up from them, till a body of ten thousand men came in and delivered up their arms, with the fort of Cassaw, and took an oath of obedience to king Charles, which was the first notice they had of Joseph's death.

The effects of this will probably go farther than barely to the quieting of Hungary; for the king of Sweden, the Crim Tartar, and the agents of France had so animated the Turks against the Muscovites, that though the Sultan had no mind to engage in a new war, till the affairs of that empire should be put in a better state, yet he was so apprehensive of the janizaries, that, much against his own inclinations, he was brought to declare war against the czar; but both the czar and he seemed inclined to accept the mediation that was offered by England and by the States; to which very probably the Turks may the more easily be brought, when they see no hope of any advantage to be made, from the distractions in Hungary.

It did not yet appear what would be undertaken on either side in Spain; king Philip had not yet opened the campaign; but it was given out, that great preparations were made for a siege; on the other hand, king Charles had great reinforcements sent him; so that his force was reckoned not inferior to king Philip's: nor was it yet known what resolutions he had taken, since he received the news of the emperor's death.

The campaign was now opened on both sides in the Netherlands, though later than was intended: the season continued long so rainy, that all the ways in those parts were impracticable: nothing was yet attempted on either side; both armies lay near one another, and both were so well posted, that no attack was yet made: and this was the present state of affairs abroad, at the end of May. At home Mr. Harley was created earl of Oxford, and then made lord high treasurer, and had now the supreme favour: the session of Parliament was not yet at an end. There had been a great project carried on for a trade into the South Sea; and a fund was projected for paying the interest of nine millions, that were in arrear for our marine affairs.

From our temporal concerns, I turn to give an account of those which related to the church: the convocation of the province of Canterbury was opened, the 25th of November, the same day in which the parliament met; and Atterbury was chosen prolocutor. Soon after, the queen sent a licence to the convocation, empowering them to enter upon such consultations as the present state of the church required, and particularly to consider of such matters as she should lay before them: limiting them to a quorum, that the archbishop of Canterbury, the bishop of London, or the bishop of Bath and Wells should be present, and agree to their resolutions. With this licence, there was a letter directed to the archbishop, in which the convocation was ordered to lay before the queen an account of the late excessive growth of infidelity and heresy among us; and to consider how to redress abuses in excommunications; how rural deans might be made more effectual; how terriers might be made and preserved more exactly, and how the abuses in licences for marriage might be corrected.

In this whole matter, neither the archbishop nor any of the bishops were so much as consulted with: and some things in the licence were new: the archbishop was not named the president of the convocation, as was usual in former licences; and in these, the archbishop's

presence and consent alone was made necessary except in case of sickness, and then the archbishop had named some bishops to preside, as his commissaries: and in that case, the convocation was limited to his commissaries, which still lodged the presidentship and the negative with the archbishop: this was according to the primitive pattern, to limit the clergy of a province to do nothing, without the consent of the metropolitan; but it was a thing new and unheard-of, to limit the convocation to any of their own body, who had no deputation from the archbishop. So a report of this being made, by a committee that was appointed to search the records, it was laid before the queen; and she sent us a message to let us know, that she did not intend that those whom she had named to be of the quorum, should either preside or have a negative upon our deliberations, though the contrary was plainly insinuated in the licence. The archbishop was so ill of the gout, that after our first meetings, he could come no more to us; so was the bishop of London: upon which, the bishop of Bath and Wells, seeing how invidiously he was distinguished from his brethren, in which he had not been consulted, pretended ill health; and we were at a stand till a new licence was sent us, in which the bishops of Winchester, Bristol, and St. David's were added to be of the quorum. The two last were newly consecrated, and had been in no functions in the church before; so the queen not only passed over all the bishops made in king William's reign, but a great many of those named by herself, and set the two last in a distinction above all their brethren. All this was directed by Atterbury, who had the confidence of the chief minister; and because the other bishops had maintained a good correspondence with the former ministry, it was thought fit to put marks of the queen's distrust upon them, that it might appear with whom her royal favour and trust was lodged.

The convocation entered on the consideration of the matters referred to them by the queen; and a committee was appointed to draw a representation of the present state of the church, and of religion among us: but after some heads were agreed on, Atterbury procured that the drawing of this might be left to him; and he drew up a most virulent declamation, defaming all the administration from the time of the revolution: into this he brought many impious principles and practices, that had been little heard of or known, but were now to be published, if this should be laid before the queen. The lower house agreed to his draught; but the bishops laid it aside, and ordered another representation to be drawn, in more general and more modest terms. It was not settled which of these draughts should be made use of, or whether any representation at all should be made to the queen; for it was known that the design in asking one was only to have an aspersion cast, both on the former ministry and on the former reign. Several provisions were prepared, with relation to the other particulars in the queen's letter; but none of these were agreed to by both houses.

An incident happened that diverted their thoughts to another matter: Mr. Whiston, the professor of mathematics in Cambridge, a learned man, of a sober and exemplary life, but much set on hunting for paradoxes, fell on the reviving the Arian heresy, though he pretended to differ from Arius, in several particulars; yet upon the main he was partly Apollinarianist, partly Arian; for he thought the *vous*, or word, was all the soul that acted in our Saviour's body. He found his notions favoured by the apostolical constitutions; so he reckoned them a part, and the chief part of the canon of the Scriptures. For these tenets he was censured at Cambridge, and expelled the university: upon that, he wrote a vindication of himself and his doctrine, and dedicated it to the convocation, promising a larger work on these subjects. The uncontested way of proceeding in such a case was, that the bishop of the diocese, in which he lived, should cite him into his court, in order to his conviction or censure, from whose sentence an appeal lay to the archbishop, and from him to the crown; or the archbishop might proceed in the first instance in a court of audience; but we saw no clear precedents, of any proceedings in convocation, where the jurisdiction was contested; a reference made by the high commission to the convocation, where the party submitted to do penance, being the only precedent that appeared in history; and even of this we had no record; so that it not being thought a clear warrant for our proceeding, we were at a stand. The act that settled the course of appeals in king Henry the Eighth's time, made no mention of sentences in convocation; and yet, by the act in the first of queen Elizabeth, that defined what should be judged heresy, that judgment was declared to be in the crown; by all this



(which the archbishop laid before the bishops in a letter, that he wrote to them on this occasion) it seemed doubtful whether the convocation could, in the first instance, proceed against a man for heresy; and their proceedings, if they were not warranted by law, might involve them in a *præsumptio*. So the upper house, in an address, prayed the queen to ask the opinions of the judges, and such others as she thought fit, concerning these doubts, that they might know how the law stood in this matter.

Eight of the judges, with the attorney and solicitor-general, gave their opinion, that we had a jurisdiction, and might proceed in such a case; but brought no express law nor precedent to support their opinion: they only observed, that the law-books spoke of the convocation as having jurisdiction, and they did not see that it was ever taken from them: they were also of opinion, that an appeal lay from the sentence of convocation to the crown; but they reserved to themselves a power to change their mind, in case, upon an argument that might be made for a prohibition, they should see cause for it. Four of the judges were positively of a contrary opinion, and maintained it from the statutes made at the reformation. The queen, having received these different opinions, sent them to the archbishop, to be laid before the two houses of convocation; and, without taking any notice of the diversity between them, she wrote that, there being now no doubt to be made of our jurisdiction, she did expect that we should proceed in the matter before us. In this it was visible, that those who advised the queen to write that letter, considered more their own humours than her honour. Yet two great doubts still remained, even supposing we had a jurisdiction; the first was, of whom the court was to be composed; whether only of the bishops, or what share the lower house had in this judiciary authority: the other was, by what delegates, in case of an appeal, our sentence was to be examined: were no bishops to be in the court of delegates? or was the sentence of the archbishop and his twenty-one suffragan bishops, with the clergy of the province, to be judged by the archbishop of York and his three suffragan bishops? These difficulties appearing to be so great, the bishops resolved to begin with that, in which they had, by the queen's licence, an undisputable authority; which was to examine and censure the book, and to see if his doctrine was not contrary to the Scriptures, and the first four general councils, which is the measure set by law to judge heresy. They drew out some propositions from his book, which seemed plainly to be the reviving of Arianism; and censured them as such. These they sent down to the lower house, who, though they excepted to one proposition, yet censured the rest in the same manner. This the archbishop (being then disabled by the gout) sent by one of the bishops to the queen for her assent, who promised to consider of it: but to end the matter at once, at their next meeting in winter, no answer being come from the queen, two bishops were sent to ask it; but she could not tell what was become of the paper which the archbishop had sent her; so a new extract of the censure was again sent to her: but she has not yet thought fit to send any answer to it. So Whiston's affair sleeps, though he has published a large work in four volumes in octavo, justifying his doctrine, and maintaining the canonicalness of the apostolical constitutions, preferring their authority not only to the epistles, but even to the gospels. In this last I do not find he has made any proselytes, though he has set himself much to support that paradox.\*

The lower house would not enter into the consideration of the representation sent down to them by the bishops; so none was agreed on to be presented to the queen; but both were printed, and severe reflections were made, in several tracts, on that which was drawn by the lower house, or rather by Atterbury. The bishops went through all the matters recommended to them by the queen, and drew up a scheme of regulations on them all; but

\* The eccentric William Whiston was born in 1667, at his father's rectory, Norton, in Leicestershire. His education was conducted at Tamworth school, and Clare Hall, Cambridge, of which he obtained a fellowship. Dr. Moore, bishop of Norwich, to whom he was chaplain, gave him the living of Lowestoff, which he resigned on succeeding to the professorship of mathematics, vacant by sir Isaac Newton's death. He began to promulgate his religious peculiarities in 1703, and after his deprivation and expulsion from the university, he formed a

society for restoring primitive Christianity, and finally united with the Baptists. His delusions were many; he rejected some of the canonical books of the bible, but admitted some of the apocryphal ones; terrified many by his predictions of the coming millennium, and destruction of the world, and died unconvinced of his errors in 1752. As a mathematician he deserves much praise: and is to be remembered with respect as one of the earliest of rational geologists. The "Memoirs" of his own life are worth perusing.—*Biog. Britannica*.

neither were these agreed to by the lower house; for their spirits were so exasperated, that nothing sent by the bishops could be agreeable to them. At last the session of parliament and convocation came to an end.

The last thing settled by the parliament was, the creating a new fund for a trade in the South Sea; there was a great debt upon the navy, occasioned partly by the deficiency of the funds appointed for the service at sea, but chiefly by the necessity of applying such supplies as were given, without appropriating clauses, to the service abroad; where it was impossible to carry it on by credit, without ready money, so it was judged necessary to let the debt of the navy run on upon credit; this had risen up to several millions; and the discount on the navy-bills ran high. All this debt was thrown into one stock; and a fund was formed for paying the interest at six per cent.

The flatterers of the new ministers made great use of this, to magnify them, and to asperse the old ministry; but a full report of that matter was soon after published, by which it appeared, that the public money had been managed with the utmost fidelity and frugality; and it was made evident that when there was not money enough to answer all the expense of the war, it was necessary to apply it to that which pressed most, and where the service could not be carried on by credit: so this debt was contracted by an inevitable necessity; and all reasonable persons were fully satisfied with this account of the matter. The earl of Godolphin's unblemished integrity was such, that no imputation of any sort could be fastened on him; so, to keep up a clamour, they reflected on the expense he had run the nation into, upon the early successes in the year 1706; which were very justly acknowledged, and cleared in the succeeding session, as was formerly told: but that was now revived; and it was said to be an invasion of the great right of the commons in giving supplies, to enter on designs and to engage the nation in an expense, not provided for by parliament. This was aggravated with many tragical expressions, as a subversion of the constitution; so with this, and that of the thirty-five millions, of which the accounts were not yet passed, and some other particulars, they made an inflaming address to the queen, at the end of the sessions. And this was artificially spread through the nation, by which weaker minds were so possessed, that it was not easy to undeceive them, even by the fullest and clearest evidences; the nation seemed still infatuated beyond the power of conviction. With this the session ended, and all considering persons had a very melancholy prospect, when they saw what might be apprehended from the two sessions, that were yet to come of the same parliament.

I now turn to affairs abroad. The business of Spain had been so much pressed from the throne, and so much insisted on all this session, and the commons had given 1,500,000*l.* for that service (a sum far beyond all that had been granted in any preceding session) so that it was expected matters would have been carried there in another manner than formerly. The duke of Argyle was sent to command the queen's troops there, and he seemed full of heat; but all our hopes failed. The duke of Vendome's army was in so ill a condition, that if Starembergh had been supported, he promised himself great advantages; it does not yet appear what made this to fail; for the parliament has not yet taken this into examination. It is certain the duke of Argyle did nothing; neither he nor his troops were once named, during the whole campaign; he wrote over very heavy complaints, that he was not supported, by the failing of the remittances that he expected: but what ground there was for that does not yet appear; for, though he afterwards came over, he was very silent, and seemed in a good understanding with the ministers. Starembergh drew out his forces; and the two armies lay for some time looking on one another, without coming to any action: Vendome ordered a siege to be laid to two small places, but without success. That of Cardona was persisted in obstinately, till near the end of December, and then Starembergh sent some bodies to raise the siege, who succeeded so well in their attempt, that they killed two thousand of the besiegers, and forced their camp; so that they not only raised the siege, but made themselves masters of the enemy's artillery, ammunition, and baggage; and the duke of Vendome's army was so diminished, that if Starembergh had received the assistance which he expected from England, he would have pierced far into Spain; but we did nothing, after all the zeal we had expressed for retrieving matters on that side.

The emperor's death, as it presently opened to king Charles the succession to the here-

ditary dominions, so a disposition appeared unanimously, among all the electors, to choose him emperor; yet he stayed in Barcelona till September; and then leaving his queen behind, to support his affairs in Spain, he sailed over to Italy: he stayed some weeks at Milan, where the duke of Savoy came to him; and we were told, that all matters in debate were adjusted between them. We hoped this campaign would have produced somewhat in those parts, of advantage to the common cause, upon the agreement made before the emperor Joseph's death. And Mr. St. John, when he moved in the house of commons for the subsidies to the duke of Savoy, said, all our hopes of success this year lay in that quarter: for in Flanders we could do nothing. The duke came into Savoy, and it was given out that he was resolved to press forward; but upon what views it was not then known, he stopped his course, and after a short campaign, repassed the mountains.

The election of the emperor came on at Frankfort, where some electors came in person, others sent their deputies; some weeks were spent in preparing the capitulations; great applications were made to them, to receive deputies from the electors of Bavaria and Cologne; but they were rejected, for they were under the ban of the empire; nor were they pleased with the interposition of the pope's nuncio, who gave them much trouble in that matter; but they persisted in refusing to admit them. Frankfort lay so near the frontier of the empire, that it was apprehended the French might have made an attempt that way; for they drew some detachments from their army in Flanders, to increase their forces on the Rhine. This obliged prince Eugene, after he, in conjunction with the duke of Marlborough, had opened the campaign in Flanders, to draw off a detachment from thence, and march with it towards the Rhine; and there he commanded the imperial army, and came in good time to secure the electors at Frankfort; who being now safe from the fear of any insult, went on slowly in all that they thought fit to propose, previous to an election; and concluded unanimously to choose Charles, who was now declared emperor by the name of Charles the Sixth. He went from Milan to Innspruck, and from thence to Frankfort, where he was crowned with the usual solemnity. Thus that matter was happily ended, and no action happened on the Rhine all this campaign.

The duke of Marlborough's army was not only weakened by the detachment that prince Eugene carried to the Rhine, but by the calling over five thousand men of the best bodies of his army, for an expedition designed by sea; so that the French were superior to him in number: they lay behind lines that were looked on as so strong, that the forcing them was thought an impracticable thing; and it was said, that Villars had written to the French king, that he had put a *ne plus ultra* to the duke of Marlborough; but, contrary to all expectation, he did so amuse Villars with feint motions, that at last, to the surprise of all Europe, he passed the lines near Bouchain, without the loss of a man.

This raised his character beyond all that he had done formerly; the design was so well laid, and was so happily executed, that in all men's opinions, it passed for a master-piece of military skill; the honour of it falling entirely on the duke of Marlborough, no other person having any share, except in the execution. When our army was now so happily got within the French lines, the Dutch deputies proposed the attacking the French, and venturing a battle, since this surprise had put them in no small disorder. The duke of Marlborough differed from them, he thought there might be too much danger in that attempt: the army was much fatigued with so long a march, in which their cavalry had been eight-and-forty hours on horseback, alighting only twice, about an hour at a time, to feed their horses; for they marched eleven leagues in one day: the French were fresh; and our army was in no condition to enter upon action, till some time was allowed for refreshment; and the duke of Marlborough thought that, in case of a misfortune, their being within the French lines might be fatal.

He proposed the besieging Bouchain; which he thought might oblige the French to endeavour to raise the siege; and that might give occasion to their fighting on more equal terms; or it would bring both a disreputation and a disheartening on their army, if a place of such importance should be taken in their sight: both the Dutch deputies and the general officers thought the design was too bold, yet they submitted to him in the matter: it seemed impracticable to take a place, situated in a morass, well fortified, with a good garrison in it,



in the sight of a superior army, for the French lay within a mile of them; there was also great danger from the excursions that the garrisons of Valenciennes and Condé might make to cut off their provisions, which were to come to them from Tournay. All about the duke studied to divert him from so dangerous an undertaking; since a misfortune in his conduct would have furnished his enemies with the advantages that they waited for. He was sensible of all this, yet he had laid the scheme so well, that he resolved to venture on it: the French tried to throw more men into the place, by a narrow causeway through the morass, but he took his measures so well that he was guarded against every thing: he saw what the event of the siege might be; so he bestirred himself with unusual application, and was more fatigued in the course of this siege than he had been at any time during the whole war. He carried on the trenches, and by his batteries and bombs the place was soon laid in ruins. Villars seemed to be very busy, but to no purpose; yet, seeing he could not raise the siege, he tried to surprise Douay; but they discovered the design, and forced the body that was sent thither to retreat in all haste. After twenty days, from the opening the trenches, the garrison of Bouchain capitulated, and could have no better terms than to be made prisoners of war. As this was reckoned the most extraordinary thing in the whole history of the war, so the honour of it was acknowledged to belong wholly to the duke of Marlborough; as the blame of a miscarriage in it must have fallen singly on him. Villars's conduct on this occasion was much censured; but it was approved by the king of France; and with this the campaign ended in those parts.

No action happened at sea, for the French had no fleet out: an expedition was designed by sea for taking Quebec and Placentia; and for that end, five thousand men were brought from Flanders: Hill, who was brother to the favourite, had the command. There was a strong squadron of men of war ordered, to secure the transport fleet; they were furnished from hence with provisions, only for three months; but they designed to take in a second supply at New England. A commissioner of the victualling then told me, he could not guess what made them be sent out so ill furnished; for they had stores, lying on their hands, for a full supply. They sailed soon after the end of the session, and had a quick passage to New England, but were forced to stay many weeks on that coast before they could be supplied with provisions: they sailed, near the end of August, into the river of Canada, which was thirty miles broad; but they were ill served with pilots; and at that season storms were ordinary in those parts; one of these broke upon them, by which several ships were upset, and about two thousand five hundred men were lost. Thus the design of Quebec miscarried; and their provisions were too scanty to venture an attempt on Placentia; so they returned home unprosperous.

This was a great mortification to the new ministry; it being their first undertaking, ill projected, and worse executed, in every step of it: it was the more liable to censure, because at the very time that the old ministry were charged with entering on designs that had not been laid before the parliament, and for which no supplies had been given, they projected this, even while a session was yet going on, without communicating it to the parliament; whereas, what the former ministry had done this way was upon emergents, and successes, after the end of the session; but this matter has not yet been brought under a parliamentary examination, so the discoveries that may be made if that happens, must be referred to their proper place. This was the state of our affairs during this campaign; the merchants complained of great losses made at sea by the ill management of convoys and cruisers.

The war between the Turk and the czar came to a quick end; the czar advanced with his army so far into Moldavia, that he was cut off from his provisions: an engagement followed, in which both sides pretended they had the advantage. It is certain the czar found he was reduced to great extremities; for he proposed, in order to a peace, to surrender Azov, with some other places, and demanded that the king of Sweden might be sent home to his own country. The grand vizier was glad to arrive at so speedy a conclusion of the war; and notwithstanding the great opposition made by the king of Sweden, he concluded a peace with the Muscovite, not without suspicion of his being corrupted by money to it. The king of Sweden being highly offended at this, charged the grand vizier for neglecting the great advantages he had over the czar, since he and his whole army were at mercy; and he prevailed so

far at the Porte, that upon it the grand vizier was deposed, and there was an appearance of a war ready to break out the next year; for the czar delayed the rendering Azov and the other places agreed to be delivered up; pretending that the king of Sweden was not sent home, according to agreement; yet to prevent a new war, all the places were at length delivered up: what effect this may have, must be left to farther time.

Towards the end of the year the Danes and Saxons broke in by concert upon Pomerania, resolving to besiege Stralsund; but every thing necessary for a siege came so slowly from Denmark, that no progress was made, though the troops lay near the place, for some months; and in that time the Swedes landed a considerable body of men in the isle of Rugen: at last the besiegers, being in want of every thing, were forced to raise the siege, and to retire from that neighbourhood, in the beginning of January. They sat down next before Wismar, but that attempt likewise miscarried, which rendered the conduct of the king of Denmark very contemptible; who thus obstinately carried on a war (at a time that a plague swept away a third part of the people of Copenhagen) with as little conduct as success. Having thus given a short view of affairs abroad;

I come next to give the best account I can of a secret and important transaction at home: the ministers now found how hard it was to restore credit, and by consequence to carry on the war; Mr. Harley's wound gave the queen the occasion which she seemed to be waiting for; upon his recovery she had created him an earl, by a double title, of Oxford and Mortimer. Preambles to patents of honour usually carry in them a short account of the dignity of the family, and of the services of the person advanced; but his preamble was very pompous, and set him out in the most extravagant characters that flatterers could invent; in particular it said, that he had redeemed the nation from robbery, had restored credit, and had rendered the public great service in a course of many years: all this was set out in too fulsome rhetoric, and being prepared by his own direction, pleased him so much, that whereas all other patents had been only read in the house of lords, this was printed. He was at the same time made lord treasurer, and became the chief, if not sole minister, for every thing was directed by him. It soon appeared that his strength lay in managing parties, and in engaging weak people, by rewards and promises, to depend upon him; but that he neither thoroughly understood the business of the treasury, nor the conduct of foreign affairs; but he trusted to his interest in the queen and in the favourite.

He saw the load that the carrying on the war must bring upon him; so he resolved to strike up a peace as soon as was possible. The earl of Jersey had some correspondence in Paris and at St. Germain's, so he trusted the conduct of the negotiation to him. The duke of Newcastle, who was lord privy seal, died of an apoplexy in July, being the richest subject that had been in England for some ages; he had an estate of above 40,000*l.* a-year, and was much set on increasing it. Upon his death, it was resolved to give the earl of Jersey the privy seal; but he died suddenly the very day in which it was to be given him; upon that it was conferred on Robinson, bishop of Bristol, who was designed to be the plenipotentiary in the treaty that was projected. One Prior, who had been Jersey's secretary, upon his death was employed to prosecute that which the other did not live to finish. Prior had been taken a boy out of a tavern, by the earl of Dorset, who accidentally found him reading Horace; and he, being very generous, gave him an education in literature: he was sent to the court of France in September, to try on what terms we might expect a peace; his journey was carried on secretly; but upon his return he was stopped at Dover; and a packet that he brought was kept, till an order came from court to set him free; and by this accident the secret broke out. Soon after that, one Mesnager was sent over from France, with preliminaries; but very different from those that had been concerted at the Hague, two years before\*.

\* The man thus slightly mentioned by Burnet as "one Prior," was the frequently employed ambassador, and distinguished poet, Matthew Prior. His parents probably were mean: had they been otherwise, he who had vanity enough to leave 500*l.* for a monument would, we may conclude, have informed us of his aristocratic lineage. He was born in 1664, at Wimborne, in Dorsetshire;

and educated at Westminster school by the kindness of his uncle, a vintner, near Charing-cross; in whose house he was found by the earl of Dorset, as mentioned in the text. He entered a student at St. John's college, Cambridge, where he very soon became distinguished as a poet. In conjunction with Mr. Montague, he ridiculed Dryden's "Hind and Panther," in their fable of "the

By these, the king of France offered to acknowledge the queen, and the succession to the crown, according to the present settlement; and that he would *bond fide* enter into such measures, that the crowns of France and Spain should never belong to the same person; that he would settle a safe and proper barrier to all the allies: that he would raze Dunkirk, provided an equivalent should be given, for destroying the fortifications he had made there, at so great an expense; and that he would procure both to England and to the States the re-establishing of their commerce. The court was then at Windsor: these propositions were so well entertained at our court, that a copy of them was ordered to be given to count Gallas, the emperor's minister; he treated these offers with much scorn, and printed the preliminaries in one of our newspapers; soon after that he was ordered to come no more to court, but to make haste out of England.

The proceeding was severe and unusual; for the common method, when a provocation was given by a public minister, was to complain of him to his master, and to desire him to be recalled. It was not then known upon what this was grounded; that which was surmised was, that his secretary Gaultier (who was a priest) betrayed him; and discovered his secret correspondence, and the advertisements he sent the emperor, to give him ill impressions of our court; for which treachery he was rewarded with an abbey in France: but of this I have no certain information.

When our court was resolved on this project, they knew the lord Townshend so well, that they could not depend on his serving their ends; so he was both recalled and disgraced: and the lord Raby was brought from the court of Prussia, and advanced to be earl of Strafford, and sent ambassador to Holland. It was not then known how far our court carried the negotiations with France; it was not certain whether they only accepted of these preliminaries, as a foundation for a treaty, to be opened upon them; or if any private promise or treaty was signed: this last was very positively given out, both in France and Spain. The very treating, without the concurrence of our allies, was certainly an open violation of our alliances, which had expressly provided against any such negotiation.

Many mercenary pens were set to work, to justify our proceedings, and to defame our allies, more particularly the Dutch; this was done with much art, but with no regard to truth, in a pamphlet, entitled "The Conduct of the Allies, and of the late Ministry;" to which very full answers were written, detecting the thread of falsehood that ran through that work\*. It was now said, England was so exhausted, that it was impossible to carry on the war: and when king Charles was chosen emperor, it was also said, he would be too great, and too dangerous to all his neighbours, if Spain were joined to the emperor and to the

City Mouse and Country Mouse." This brought its authors into repute. In 1691, he was sent secretary to our embassy at the Hague Congress. His conduct so pleased king William, that he made him a gentleman of the royal bedchamber. In 1697, he was secretary to another embassy at the treaty of Ryswick; and held the same office the following year at the court of France, where he is said to have been considered with great distinction. The next year he was at Loo with the king, from whom, after a long audience, he carried orders to England, and upon his arrival became under-secretary of state in the earl of Jersey's office; a post which he did not retain long, because Jersey was removed; but he was soon made commissioner of trade. In 1731, he was elected a parliamentary representative of East Grinstead. Perhaps it was about this time he changed his party; for he voted for the impeachment of those lords who had persuaded the king to the partition treaty, a treaty in which he had himself been ministerially employed. To trumpet forth the errors of the whigs, the friends of Harley established a periodical, called "The Examiner," to which Swift, Prior, and other wits of the party contributed. It is worth perusing for the light it throws upon contemporary politics. The next public transaction in which Prior engaged, was that mentioned in the text. He was remembered at the French court, and returning in about a month,

brought with him the Abbé Gaultier, and M. Mesnager, a minister from France, invested with full powers. The negotiation commenced at Prior's house, where the queen's ministers met Mesnager. The assembly of this important night was in some degree clandestine, the design of treating not being yet openly declared, and when the whigs returned to power, was aggravated to a charge of high treason, though, as Prior remarks in his imperfect answer to the report of the *committee of secrecy*, no treaty ever was made without private interviews and preliminary discussions. This negotiation ended in the peace of Utrecht, which was completed in 1712. The duke of Shrewsbury is said to have refused joining Prior in the embassy to France, because of the latter's mean birth; be this as it may, upon the duke's return to England, Prior remained with the style and dignity of our ambassador. In 1714, the tories went out of power, and Prior's splendour departed with them. He was recalled, imprisoned for more than two years, and threatened with an impeachment. When liberated, his fortune was at a very low ebb; but by the sale of an edition of his works, he was raised to independence. He died at Wimpole, a seat of the earl of Oxford, in 1721.—Johnson's Lives of the Poets.

\* This pamphlet was written by Dean Swift and Mr. St. John.



hereditary dominions: it was also zealously, though most falsely, infused into the minds of the people, that our allies, most particularly the Dutch, had imposed on us, and failed us on many occasions. The jacobites did with the greater joy entertain this prospect of peace, because the dauphin had, in a visit to St. Germain, congratulated that court upon it, which made them conclude, that it was to have a happy effect with relation to the pretender's affairs.

Our court denied this: and sent the earl of Rivers to Hanover, to assure the elector, that the queen would take especial care to have the succession to the crown secured to his family, by the treaty that was to be opened: this made little impression on that elector; for he saw clearly, that if Spain and the West Indies were left to king Philip, the French would soon become the superior power to all the rest of Europe; that France would keep Spain in subjection, and by the wealth they would fetch from the Indies, they would give law to all about them, and set what king they pleased on the throne of England. Earl Rivers stayed a few days there, and brought an answer from the elector in writing; yet the elector apprehended, not without reason, that it might be stifled; therefore he ordered his minister to give a full memorial, to the same purpose, of which our court took no notice: but the memorial was translated and printed here, to the great satisfaction of all those who were afraid of the ill designs that might be hid, under the pretence of the treaty then proposed.

The earl of Strafford pressed the States to comply with the queen's desire, of opening a treaty: they answered very slowly, being desirous to see how the parliament was inclined; but the parliament was prorogued from the 13th to the 29th of November, and from that to the 7th of December. It was also reported in Holland, that the earl of Strafford (seeing the States slow in granting the passports, and upon that apprehending these delays flowed from their expecting to see how the parliament of England approved of these steps), told them plainly, that till they agreed to a treaty, and granted the passports, the session should not be opened; so they granted them, and left the time and place of treaty to the queen's determination. She named Utrecht as the place of congress, and the first of January O. S. for opening it; and wrote a circular letter to all the allies, inviting them to send plenipotentiaries to that place. The emperor set himself vehemently to oppose the progress of this matter; he sent prince Eugene to dissuade the States from agreeing to it, and offered a new scheme of the war, that should be easier to the allies, and lie heavy on himself: but the passports were now sent to the court of France; that court demanded passports likewise, for the plenipotentiaries of king Philip, and of the electors of Bavaria and Cologne: this was offered by our court to the States, they refused it, but whether our ministers then agreed to it or not, I cannot tell.

Before the opening the session, pains were taken on many persons, to persuade them to agree to the measures the court were in: the duke of Marlborough, upon his coming over, spoke very plainly to the queen against the steps that were already made; but he found her so possessed, that what he said made no impression, so he desired to be excused from coming to council, since he must oppose every step that was made in that affair. Among others, the queen spoke to myself; she said, she hoped bishops would not be against peace: I said, a good peace was what we daily prayed for, but the preliminaries offered by France gave no hopes of such an one: and the trusting to the king of France's faith, after all that had passed, would seem a strange thing. She said, we were not to regard the preliminaries; we should have a peace upon such a bottom, that we should not at all rely on the king of France's word; but we ought to suspend our opinions, till she acquainted us with the whole matter. I asked leave to speak my mind plainly; which she granted: I said, any treaty by which Spain and the West Indies were left to king Philip, must in a little while deliver up all Europe into the hands of France; and, if any such peace should be made, she was betrayed, and we were all ruined; in less than three years' time she would be murdered, and the fires would be again raised in Smithfield: I pursued this long, till I saw she grew uneasy; so I withdrew.

On the seventh of December, she opened the parliament: in her speech, she said, notwithstanding the arts of those who delighted in war, the time and place were appointed for treating a general peace; her allies, especially the States, had by their ready concurrence expressed

an entire confidence in her; and she promised to do her utmost to procure reasonable satisfaction to them all; she demanded of the house of commons the necessary supplies for carrying on the war; and hoped that none would envy her the glory of ending it by a just and honourable peace; she in particular recommended unanimity, that our enemies might not think us a divided people, which might prevent that good peace, of which she had such reasonable hopes, and so near a view.

The speech gave occasion to many reflections; "the arts of those who delighted in war," seemed to be levelled at the duke of Marlborough, and the preliminaries concerted at the Hague; her saying that the allies reposed an entire confidence in her, amazed all those who knew, that neither the emperor, nor the empire, had agreed to the congress, but were opposing it with great vehemence; and that even the States were far from being cordial, or easy, in the steps that they had made.

After the speech, a motion was made in the house of lords, to make an address of thanks to the queen for her speech; upon this, the earl of Nottingham did very copiously set forth the necessity of having Spain and the West Indies out of the hands of a prince of the house of Bourbon; he moved that, with their address of thanks, they should offer that as their advice to the queen; he set forth the misery that all Europe, but England most particularly, must be under, if the West Indies came into a French management; and that King Philip's possessing them was, upon the matter, the putting them into the hands of France. This was much opposed by the ministers; they moved the referring that matter to another occasion, in which it might be fully debated; but said, it was not fit to clog the address with it. Some officious courtiers said, that since peace and war belonged, as prerogatives to the crown, it was not proper to offer any advice in those matters, until it was asked: but this was rejected with indignation, since it was a constant practice, in all sessions of parliament, to offer advices; no prerogative could be above advice; this was the end specified in the writ by which a parliament was summoned; nor was the motion for a delay received. The eyes of all Europe were upon the present session; and this was a post-night: so it was fit they should come to a present resolution, in a matter of such importance. The question was put, whether this advice should be part of the address; and the previous question being first put, it was carried by one voice to put it; and the main question was carried by three voices: so this point was gained, though by a small majority. The same motion was made in the house of commons, but was rejected by a great majority; yet in other respects their address was well couched: for they said, they hoped for a just, honourable, and lasting peace, to her majesty and to all her allies.

When the address of the lords was reported to the house, by the committee appointed to prepare it, the court tried to get the whole matter to be contested over again, pretending that the debate was not now, upon the matter, debated the day before, but only whether they should agree to the draught, prepared by the committee: but that part of it which contained the advice, was conceived in the very words, in which the vote had passed; and it was a standing rule, that what was once voted, could never again be brought into question during that session. This was so sacred a rule that many of those who voted with the court the day before, expressed their indignation against it, as subverting the very constitution of parliaments, if things might be thus voted and unvoted again, from day to day: yet even upon this a division was called for, but the majority appearing so evidently against the motion, it was yielded, without counting the house.

When the address was presented to the queen, her answer was, she was sorry that any should think she would not do her utmost to hinder Spain and the West Indies from remaining in the hands of a prince of the house of Bourbon: and the lords returned her thanks for this gracious answer; for they understood, by the doing her utmost, was meant the continuing the war. The court was much troubled to see the house of lords so backward; and both sides studied to fortify themselves, by bringing up their friends, or by getting their proxies.

The next motion was made by the earl of Nottingham, for leave to bring in a bill against occasional conformity: he told these, with whom he now joined, that he was but one man come over to them, unless he could carry a bill to that effect; but, if they would give way to that, he hoped he should be able to bring many to concur with them in other things.

They yielded this the more easily, because they knew that the court had offered, to the high men in the house of commons, to carry any bill that they should desire in that matter: the earl of Nottingham promised to draw it with all possible temper. It was thus prepared, that all persons in places of profit and trust, and all the common-council-men in corporations, who should be at any meeting for divine worship (where there were above ten persons, more than the family) in which the common prayer was not used, or where the queen and the princess Sophia were not prayed for, should upon conviction forfeit their place of trust or profit, the witnesses making oath within ten days, and the prosecution being within three months after the offence; and such persons were to continue incapable of any employment, until they should depose, that for a whole year together they had been at no conventicle. The bill did also enact, that the toleration should remain inviolable, in all time to come; and that if any person should be brought into trouble for not having observed the rules that were prescribed by the act that first granted the toleration, all such prosecution should cease, upon their taking the oath prescribed by that act: and a teacher, licensed in any one county, was by the bill qualified to serve in any licensed meeting in any part of England; and by another clause, all who were concerned in the practice of the law in Scotland, were required to take the abjuration in the month of June next.

No opposition was made to this in the house of lords; so it passed in three days; and it had the same fate in the house of commons; only they added a penalty on the offender of forty pounds, which was to be given to the informer: and so it was offered to the royal assent, with the bill for four shillings in the pound. Great reflections were made on the fate of this bill, which had been formerly so much contested, and was so often rejected by the lords, and now went through both houses, in so silent a manner, without the least opposition; some of the dissenters complained much that they were thus forsaken by their friends, to whom they had trusted; and the court had agents among them to inflame their resentments, since they were sacrificed by those on whom they depended. All the excuse that the whigs made, for their easiness in this matter, was, that they gave way to it, to try how far the yielding it might go toward quieting the fears of those who seemed to think the church was still in danger, until that act passed; and thereby to engage these, to concur with them, in those important matters that might come before them. It must be left to time to show, what good effect this act may have on the church, or what bad ones it may have on dissenters.

The next point that occasioned a great debate in the house of lords, which was espoused by the court with great zeal, was a patent, creating duke Hamilton a duke in England: lawyers were heard for the patent, the queen's prerogative in conferring honours was clear; all the subjects of the united kingdom had likewise a capacity of receiving honour; the commons of Scotland had it unquestionably; and it seemed a strange assertion, that the peers of that nation should be the only persons incapable of receiving honour: by the act of union, the peers of Scotland were, by virtue of that treaty, to have a representation of sixteen, for their whole body; these words, by virtue of that treaty, seemed to intimate, that by creation or succession, they might be made capable. And, in the debate that followed in the house, the Scotch lords, who had been of the treaty, affirmed that these words were put in on that design: and upon this, they appealed to the English lords: this was denied by none of them. It was also urged, that the house of lords had already judged the matter, when they not only received the duke of Queensbury, upon his being created duke of Dover, but had so far affirmed his being a peer of Great Britain, that upon that account, they had denied him the right of voting in the election of the sixteen peers of Scotland. But in opposition to all this, it was said, that the prerogative could not operate when it was barred by an act of parliament; the act of union had made all the peers of Scotland, peers of Great Britain, as to all intents, except the voting in the house of lords, or sitting in judgment on a peer: and as to their voting, that was vested in their representatives, by whom they voted; the queen might give them what titles she pleased; but this incapacity of voting otherwise than by these sixteen, being settled by law, the prerogative was by that limited as to them: they had indeed admitted the duke of Queensbury to sit among them, as duke of Dover; but that matter was never brought into debate; so it was only passed over in silence; and he was mentioned in their books, upon the occasion of his voting in the choice of the six-



teen peers of Scotland, in terms that were far from determining this ; for it was there said, that he claiming to be duke of Dover, could not vote as a Scotch peer. The Scotch lords insisted, in arguing for the patent, with great vehemence, not without intimations of the dismal effects that might follow, if it should go in the negative. The court put their whole strength to support the patent ; this heightened the zeal of those who opposed it ; for they apprehended that, considering the dignity and the antiquity of the Scotch peers, and the poverty of the greater part of them, the court would always have recourse to this, as a sure expedient to have a constant majority in the house of lords. There was no limitation indeed on the prerogative, as to the creation of new peers, yet these were generally men of estates, who could not be kept in a constant dependence, as some of the Scotch lords might be.

The queen heard all the debate, which lasted some hours ; in conclusion, when it came to the final vote, fifty-two voted for the patent, and fifty-seven against it. The queen and the ministers seemed to be much concerned at this, and the Scotch were enraged at it ; they met together, and signed a representation to the queen, complaining of it as a breach of the union, and a mark of disgrace put on the whole peers of Scotland, adding solemn promises of maintaining her prerogative, either in an united or separated state. This made the ministers resolve on another method to let the peers, and indeed the whole world, see that they would have that house kept in a constant dependence on the court, by creating such a number of peers at once as should give them an unquestionable majority. On the twenty-second of December, the bill for four shillings in the pound was ready for the royal assent ; yet the house of commons adjourned to the fourteenth of January, which was a long recess in so critical a time.

A motion was made in the house of lords, by the duke of Devonshire, for leave to bring in a bill to give the prince electoral of Hanover, as duke of Cambridge, the precedence of all peers ; this was granted, and so was likely to meet with no opposition. The earl of Nottingham moved next, that before their recess they should make an address to the queen, desiring her to order her plenipotentiaries to concert with the ministers of the allies the grounds upon which they were to proceed in their treaties, and to agree on a mutual guaranty to secure them to us, as well as to all Europe, and in particular to secure the protestant succession to England. All the opposition that the court made to this was, to show it was needless, for it was already ordered : and the lord treasurer said, the lords might, in order to their satisfaction, send to examine their instructions. To this it was answered, that the offering such an address would fortify the plenipotentiaries in executing their instructions. The court moved that these words might be put in the address, "if the queen had not ordered it ;" so, this being agreed to, the thing passed ; and the lords adjourned to the second of January.

But a new scene was ready to be opened in the house of commons ; the commissioners for examining the public accounts made some discoveries, upon which they intended to proceed at their next meeting. Walpole, who had been secretary of war, and who had appeared with great firmness in the defence of the late ministry, was first aimed at ; a bill had been remitted to him of 500*l.* by those who had contracted to forage the troops that lay in Scotland ; this made way to a matter of more importance : a Jew, concerned in the contract for furnishing bread to the army in Flanders, made a present yearly to the duke of Marlborough of between 5000*l.* and 6000*l.* The general of the States had the like present, as a perquisite to support his dignity, and to enable him to procure intelligence : the queen ordered 10,000*l.* a-year more to the duke of Marlborough, for the same service : the late king had also agreed, that two and a half per cent. should be deducted out of the pay of the foreign troops, which amounted to 15,000*l.* This the queen had by a warrant appointed the duke of Marlborough to receive on the same account.

He heard his enemies had discovered the present made him by the Jew, while he was beyond sea ; so he wrote to them, and owned the whole matter to be true, and added, that he had applied these sums to the procuring good intelligence, to which, next to the blessing of God and the bravery of the troops, their constant successes were chiefly owing\*. This

\* The duke of Marlborough's letter is given at length in Chandler's Debates of the House of Commons, iv. 235. What would be thought of a modern general accepting

5000*l.* a-year from an army contractor ! If the contractor can afford this out of his profits, it should go to the exchequer, not as an apparent bribe to the commander.

did not satisfy the commissioners; but, though no complaints were brought from the army of their not being constantly supplied with good bread, yet they saw here was matter to raise a clamour, which they chiefly aimed at; so this was reported to the house of commons before their recess.

A few days after this the queen wrote him a letter, complaining of the ill treatment she received from him, and discharged him of all his employments: this was thought very extraordinary, after such long and eminent services; such accidents, when they happen, show the instability of all human things; this was indeed so little expected, that those who looked for precedents could find none since the disgrace of Belisarius in Justinian's time: the only thing pretended to excuse it was, his being considered as the head of those who opposed the peace, on which the court seemed to set their hearts.

But they, finding the majority of the house of lords could not be brought to favour their designs, resolved to make an experiment that none of our princes had ventured on in former times: a resolution was taken up very suddenly of making twelve peers all at once; three of these were called up by writ, being eldest sons of peers; and nine more were created by patent. Sir Miles Wharton, to whom it was offered, refused it: he thought it looked like the serving a turn; and that whereas peers were wont to be made for services they had done, he would be made for services to be done by him: so he excused himself, and the favourite's husband, Mr. Masham, was put in his room. And whereas formerly Jeffries had the vanity to be made a peer while he was chief justice, which had not been practised for some ages, yet the precedent set by him was followed, and Trevor, chief justice of the common pleas, was now advanced to be a peer. This was looked upon as an undoubted part of the prerogative: so there was no ground in law to oppose the receiving the new lords into the house. Nor was it possible to raise in the ancient peers a sense of the indignity that was now put upon their house, since the court did by this openly declare that they were to be kept in absolute submission and obedience\*.

When the second of January came, they were all introduced into the house of lords without any opposition; and when that was over, the lord keeper delivered a message from the queen, commanding them to adjourn forthwith to the fourteenth; for by that time her Majesty would lay matters of great importance before the two houses. Upon this a great debate arose; it was said that the queen could not send a message to any one house to adjourn, when the like message was not sent to both houses. The pleasure of the prince in convening, dissolving, proroguing, or ordering the adjournment of parliaments, was always directed to both houses; but never to any one house, without the same intimation was made, at the same time, to the other. The consequence of this, if allowed, might be the ordering one house to adjourn, while the other was left to sit still; and this might end in a total dis-jointing of the constitution. The vote was carried for adjourning by the weight of the

\* Thomas Trevor, Lord Trevor, was a member of Gray's Inn. He was successively solicitor and attorney-general to King William. In 1701 he obtained the chief-justiceship of the common pleas. George the first made him lord privy seal, and one of the lords justices of Great Britain. George the second further advanced him to be president of the council. This useful minister to four sovereigns died in 1730, aged seventy-two.—(Noble's Contin. of Grainger.) The eleven other gentlemen raised to seats in the house of peers were the eldest sons of the earl of Northampton, and the earl of Aylsbury: George Hay, created baron Hay; the Irish viscount Windsor, made lord Mountjoy, in England; Henry Paget, lord Burton; Thomas Mansel, baron Mansel; sir Thomas Willoughby, baron Middleton; George Granville, baron Lansdowne; Samuel Masham, baron Masham; Thomas Foley, baron Foley; and Allen Bathurst, baron Bathurst.—(Chandler's Debates, H. of Lords, ii. 360.) There was some effort made to remonstrate against this exercise of the prerogative; but the newly created lords were permitted to take their seats unmolested, their companions of more ancient title wisely considering that

it is best to endure in silence that which cannot be ob-viated.

Lord Dartmouth says he never was so much surprised as when the queen drew the list of twelve lords from her pocket, and desired him to bring warrants for them. His lordship, in answer to her queries, said it was not illegal to create them; but he doubted the expediency of the measure. She replied, she had made fewer peers than any of her predecessors; and as the duke of Marlborough and the whigs now resolved to distress her, she must do what she could to help herself. Lord Oxford told his lordship that it was resolved to let the Scotch lords see they were not so much wanted as they imagined, for now they expected a reward for every vote they gave.—(Oxford ed. of this work.) Lord Wharton ironically asked one of this jury of peers whether they intended to vote by their fore-man. Such creations as this are almost unjustifiable under any circumstances; yet in the reign of George the third, when parties were nearly balanced, four of the tory party were raised to the peerage, as lords Granville, Guernsey, Gower, and Conway, at the same time that only one whig was raised to the upper house, Lord Hervey.

twelve new peers. It is true, the odds in the books is thirteen; but that was, because one of the peers, who had a proxy, without reflecting on it, went away when the proxies were called for.

At this time prince Eugene was sent by the emperor to England, to try if it was possible to engage our court to go on with the war; offering a new scheme, by which he took a much larger share of it on himself than the late emperor would bear. That prince's character was so justly high, that all people for some weeks pressed about the places, where he was to be seen, to look on him. I had the honour to be admitted at several times, to much discourse with him; his character is so universally known, that I will say nothing of him, but from what appeared to myself. He has a most unaffected modesty, and does scarcely bear the acknowledgments that all the world pay him. He descends to an easy equality with those with whom he converses: and seems to assume nothing to himself, while he reasons with others. He was treated with great respect by both parties; but he put a distinguished respect on the duke of Marlborough, with whom he passed most of his time. The queen used him civilly, but not with the distinction that was due to his high merit: nor did he gain much ground with the ministers.\*

When the fourteenth of January came, the houses were ordered to adjourn to the eighteenth, and then a message was sent to both houses; the queen told them the congress was opened, and that she would set a day for ending it, as well as she had done for opening it. She had ordered her plenipotentiaries, to agree with the ministers of her allies, according to all her treaties with them, to obtain reasonable satisfaction to their demands; in particular concerning Spain and the West Indies, by which, the false reports of ill-designing men, who, for evil ends, had reported that a separate peace was treated, would appear, for there was never the least colour given for this. She also promised, that the articles of the treaty should be laid before the houses, before anything should be concluded. Upon this, the house of lords agreed to an address, thanking her majesty for communicating this to them, and for the promises she had made them, repeating the words in which they were made: it was moved to add the words, "conform to her alliance;" but it was said, the queen assured them of that, so the repeating these words seemed to intimate a distrust, and that was not carried. But because there seemed to be an ambiguity in the mention made of Spain and the West Indies, the house expressed, in what sense they understood them, by adding these words, "which were of the greatest importance to the safety and commerce of these nations." The commons made an address to the same purpose, in which they only named Spain and the West Indies.

The lord-treasurer prevented the duke of Devonshire, who had prepared a bill for giving precedence to the duke of Cambridge; for he offered a bill, giving precedence to the whole electoral family, as the children and nephews of the crown: and it was intimated, that bills relating to honours and precedence ought to come from the crown. The duke of Devonshire would make no dispute on this head; if the thing passed, he acquiesced in the manner of passing it, only he thought it lay within the authority of the house. On this occasion, the court seemed, even to an affectation, to show a particular zeal in promoting this bill: for it passed through both houses in two days, it being read thrice in a day in them both. For all this haste, the court did not seem to design any such bill till it was proposed by others, out of whose hands they thought fit to take it. There were two other articles in the queen's

\* Francis Eugene, Prince of Savoy, was born in 1663. His father was count of Soissons, and general of the Swiss guards of France; his mother, a niece of cardinal Mazarin, was apparently not the most virtuous of her sex. His earliest inclinations were for the priesthood; but his inconsiderate satires upon the gallantries of Lewis the fourteenth compelled him to escape from the French dominions. He joined the Austrian army, served with distinguished honour against the Turks in Hungary, and from that time became a devotee of the sword instead of the breviary. Yet through life he was a noble example that the character of the Christian and the soldier are perfectly compatible. Thomas à Kempis "De Imitatione

Christi" was his constant companion in his tent, as well as in his chamber, and it is certain that he composed an appropriate prayer for his private use during his campaigns. His merit at length won for him the chief command of the armies of Austria, and his career of victories has established his claim to the title of the greatest of her generals. It is not within the intention or limits of these notes to detail his campaigns. Those who wish for copious information may consult his "Memoirs" written by himself, and published at Weimar, in 1809. Campbell's Lives of Marlborough and Eugene may be referred to advantageously. He was found dead in his bed at Vienna in 1736.



message: by the one, she desired their advice and assistance to quiet the uneasiness, that the peers of Scotland were under, by the judgment lately given; by the other, she complained of the licence of the press, and desired some restraint might be put upon it. The lords entered upon the consideration of that part of the queen's message, that related to the peers of Scotland, and took up almost a whole week. The court proposed, that an expedient might be found, that the peers of Scotland should not sit among them by election, but by descent, in case the rest of the peers of that nation should consent to it. A debate followed concerning the articles of the union, which of them were fundamental and not alterable: it was said, that by the union, no private right could be taken away but by the consent of the persons concerned; therefore no alteration could be made in the right of the peers of Scotland, unless they consented to it. It was afterwards debated, whether an alteration might be made with this condition, in case they should consent to it; or whether the first rise to any such alteration ought not to be given, by a previous desire. This was not so subject to an ill management; the court studied to have a subsequent consent received as sufficient; but a previous desire was insisted on, as visibly fairer and juster.

The house of commons, after the recess, entered on the observations of the commissioners for taking the public accounts, and began with Walpole, whom they resolved to put out of the way of disturbing them in the house. The thing laid to his charge stood thus: after he, as secretary of war, had contracted with some for forage to the horse that lay in Scotland, he, finding that the two persons who contracted for it made some gain by it, named a friend of his own as a third person, that he might have a share in the gain; but the other two had no mind to let him in, to know the secret of their management; so they offered him 500*l.* for his share: he accepted of it, and the money was remitted. But they, not knowing his address, directed their bill to Walpole, who endorsed it, and the person concerned received the money. This was found out, and Walpole was charged with it, as a bribe that he had taken for his own use for making the contract. Both the persons that remitted the money and he who received it were examined, and affirmed that Walpole was neither directly nor indirectly concerned in the matter; but the house insisted upon his having endorsed the bill, and not only voted this a corruption, but sent him to the Tower, and expelled him the house.

The next attack was on the duke of Marlborough. The money received from the Jew was said to be a fraud; and that, deducted out of the pay of the foreign troops, was said to be public money, and to be accounted for. The debate held long: it appeared that, during the former war, king William had 50,000*l.* a-year for contingencies: it was often reckoned to have cost much more. The contingency was that service which could be brought to no certain head, and was chiefly for procuring intelligence. The duke of Marlborough had only 10,000*l.* for the contingencies; and that and all the other items joined together amounted but to 30,000*l.*, a sum much inferior to what had been formerly given; and yet, with this moderate expense, he had procured so good intelligence, that he was never surprised, and no party he sent out was ever intercepted or cut off. By means of this intelligence, all his designs were so well concerted, that he succeeded in every one of them; and by many instances the exactness of his intelligences was fully demonstrated. It was proved, both by witnesses and by formal attestations from Holland, that ever since the year 1672 the Jews had made the like present to the general of the States' army; and it was understood as a perquisite belonging to that command. No bargain was made with the Jews for the English troops, that made by the States being applied to them; so that it appeared that the making such a present to the general was customary. But that was denied; and they voted the taking that present to be illegal; and, though he had the queen's warrant to receive the sixpence in the pound, or two and a half per cent. deducted from the pay of the foreign troops, yet that was voted to be unwarrantable, and that it ought to be accounted for. The court espoused this with such zeal, and paid so well for it, that it was carried by a great majority. Upon this, many virulent writers (whether set on to it, or officiously studying to merit by it, did not appear) threw out, in many defamatory libels, a great deal of their malice against the duke of Marlborough: they compared him to Catiline, to Crassus, and to Anthony; and studied to represent him as a robber of the nation, and as a public

enemy. This gave an indignation to all who had a sense of gratitude, or a regard to justice; in one of these scurrilous papers, written on design to raise the rabble against him, one of the periods began thus, "He was perhaps once fortunate." I took occasion to let prince Eugene see the spite of these writers, and mentioned this passage: upon which, he made this pleasant reflection, "That it was the greatest commendation could be given him, since he was always successful;" so this implied, that in one single instance he might be fortunate, but that all his other successes were owing to his conduct. I upon that said, that single instance must be then his escaping out of the hands of the party that took him when he was sailing down the Maese in the boat. But their ill-will rested not in defamation: the queen was prevailed on to send an order to the attorney-general to prosecute him for the 15,000*l.* that was deducted yearly out of the pay of the foreign troops, which he had received by her own warrant. But what this will end in must be left to time.

The duke of Ormond was now declared general, and had the first regiment of guards; and the earl of Rivers was made master of the ordnance.

Secret enquiries were made in order to the laying more load on the duke of Marlborough, and to see whether posts in the army or in the guards were sold by him; but nothing could be found. He had suffered a practice to go on, that had been begun in the late king's time, of letting officers sell their commissions, but he had never taken any part of the price to himself. Few thought that he had been so clear in that matter; for it was the only thing in which now his enemies were confident that some discoveries would have been made to his prejudice; so that the endeavours used to search into those matters, producing nothing, raised the reputation of his incorrupt administration more than all his well-wishers could have expected. Thus happy does sometimes the malice of an enemy prove! In this whole transaction we saw a new scene of ingratitude acted in a most imprudent manner, when the man to whom the nation owed more than it had ever done in any age to any subject, or perhaps to any person whatsoever, was for some months pursued with so much malice. He bore it with silence and patience, with an exterior that seemed always calm and cheerful; and though he prepared a full vindication of himself, yet he delayed publishing it until the nation should return to its senses, and be capable of examining these matters in a more impartial manner\*.

The Scotch lords, seeing no redress to their complaint, seemed resolved to come no more to sit in the house of peers: but the court was sensible that their strength in that house consisted chiefly in them and in the new peers. So pains were taken, and secret forcible arguments were used to them, which proved so effectual, that, after a few days' absence, they came back, and continued, during the session, to sit in the house. They gave it out, that an expedient would be found that would be to the satisfaction of the peers of Scotland; but, nothing of that appearing, it was concluded that the satisfaction was private and personal. The great arrear into which all the regular payments, both of the household and of salaries and pensions, was left to run, made it to be generally believed that the income for the civil list, though it exceeded the establishment very far, was applied to other payments, which the ministers durst not own. And though secret practice on members had been of a great while too common, yet it was believed that it was at this time managed with an extraordinary profusion.

Those who were suspected to have very bad designs applied themselves with great industry to drive on such bills, as they hoped would give the presbyterians in Scotland such alarms as might dispose them to remonstrate that the union was broken. They passed not all at once; but I shall lay them together, because one and the same design was pursued in them all.

A toleration was proposed for the episcopal clergy who would use the liturgy of the church of England: this seemed so reasonable, that no opposition was made to it. One clause put in it occasioned great complaints: the magistrates, who by the laws were obliged to execute the sentences of the judicatories of their kirk, were by this act required to execute

\* Perhaps the duke kept himself just without the letter of the law of bribery and peculation; but his duchess was willing to be, and effectually acted, as his proxy. They were both mean and avaricious.—See Coxe's Life Marlborough, &c.

none of them. It was reasonable to require them to execute no sentences that might be passed on any for doing what was tolerated by this act; but the carrying this to a general clause took away the civil sanction, which in most places is looked on as the chief, if not the only strength of church power. Those who were to be thus tolerated were required, by a day limited in the act, to take the oath of abjuration: it was well known that few, if any of them, would take that oath; so, to cover them from it, a clause was put in this act requiring all the presbyterian ministers to take it; since it seemed reasonable that those of the legal establishment should be required to take that, which was now to be imposed on those, who were only to be tolerated. It was well understood that there were words in the oath of abjuration to which the presbyterians excepted. In the act of succession, one of the conditions on which the successor was to be received was, his being of the communion of the church of England; and by the oath of abjuration the succession was sworn to as limited by that act. The word limitation imported only the entail of the crown; but it was suggested that the particle "as" related to all the conditions in that act. This was spread among so many of that persuasion, that it was believed a great party among them would refuse to take it. So a small alteration was made by the house of lords of these words, "as was limited," into words of the same sense, "which was limited;" but those who intended to excuse the episcopal party, who they knew were in the pretender's interests, from taking the oath, were for keeping in those words which the presbyterians scrupled. The commons accordingly disagreed to the amendment made by the lords; and, they receding from it, the bill passed as it had been sent up from the commons. Another act passed for discontinuing the courts of judicature during some days at Christmas, though the observing of holidays was contrary to their principles. This was intended only to irritate them.

After that, an act was brought in for the restoring of patronages; these had been taken away by an act in king William's reign; it was set up by the presbyterians from their first beginning as a principle, that parishes had, from warrants in Scripture, a right to choose their ministers; so that they had always looked on the right of patronage as an invasion made on that. It was therefore urged that, since by the act of union presbytery, with all its rights and privileges, was unalterably secured, and since their kirk-session was a branch of their constitution, the taking from them the right of choosing their ministers was contrary to that act: yet the bill passed through both houses, a small opposition being only made in either. By these steps the presbyterians were alarmed, when they saw the success of every motion that was made on design to weaken and undermine their establishment.

Another matter of a more public nature was at this time set on foot. Both houses of parliament had in the year 1709 agreed in an address to the queen, that the protestant succession might be secured by a guaranty in the treaty of peace; and this was settled at the Hague to be one of the preliminaries: but when an end was put to the conferences at Gertruydenberg, the lord Townsend was ordered to set on foot a treaty with the States to that effect. They entertained it readily, but at the same time they proposed that England should enter into a guaranty with them, to maintain their barrier, which consisted of some places they were to garrison, the sovereignty of which was still in the crown of Spain; and of other places which had not belonged to that crown, at the death of king Charles the Second, but had been taken in the progress of the war; for, by their agreements with us, they bore the charge of the sieges, and so the places taken were to belong to them: these were chiefly Lisle, Tournay, Menin, and Douay, and were to be kept still by them. But as for those places which, from the time of the treaty of the Pyrenees, belonged to the Spaniards, they had been so ill looked after by the Spanish governors of Flanders, who were more set on enriching themselves and keeping a magnificent court at Brussels, than on preserving the country, that neither were the fortifications kept in due repair nor the magazines furnished, nor the soldiers paid: so that whensoever a war broke out, the French made themselves very easily masters of places so ill kept. The States had therefore proposed, during this war, that the sovereignty of those places should continue still to belong to the crown of Spain; but they should keep garrisons in the strongest and the most exposed, in particular those that lay on the Lys and the Scheld; and for the maintaining this they asked 100,000*l.* a-year from those provinces; by which means they would be kept better



and cheaper than ever they had been while they were in the hands of the Spaniards. They also asked a free passage for all the stores that they should send to those places. This seemed to be so reasonable, that since the interest of England, as well as of the States, required that this frontier should be carefully maintained, the ministry were ready to hearken to it. It was objected, that, in case of a war between England and the States, the trade of those provinces would be wholly in the hands of the Dutch; but this had been settled in the great truce which, by the mediation of France and England, was made between the Spaniards and the States. There was a provisional order therein made for the freedom of trade in those provinces; and that was turned to a perpetual one by the peace of Munster. King Charles of Spain had agreed to the main of the barrier: some places on the Scheld were not necessary for a frontier, but the States insisted on them, as necessary to maintain a communication with the frontier: the king of Prussia excepted likewise to some places in the Spanish Guelder. The lord Townsend thought that these were such inconsiderable objections, that though his instructions did not come up to every particular, yet he signed the treaty known by the name of the Barrier Treaty. By it, the States bound themselves to maintain the queen's title to her dominions and the protestant succession with their whole force: and England was reciprocally bound to assist them in maintaining this barrier.

The mercenary writers, that were hired to defend the peace then projected with France, attacked this treaty with great virulence, and by arguments that gave just suspicions of black designs. They said it was a disgrace to this nation to engage any other state to secure the succession among us, which perhaps we might see cause to alter: whereas, by this treaty, the States had an authority given them to interpose in our counsels. It was also said, that if the States were put in possession of all those strong towns, they might shut us out from any share of trade in them, and might erect our manufactures in provinces very capable of them. But it was answered, that this could not be done as long as this treaty continued in force, unless the sovereign of the country should join with them against us. Some objected to the settlement made at Munster, as a transaction when we were in such confusion at home, that we had no minister there; but that treaty had only rendered the truce and the provisional settlement made before, by the mediation of England, perpetual, and we had since acquiesced in that settlement for above sixty years. By examining into the particulars of the treaty it appeared that, in some inconsiderable matters, the lord Townsend had gone beyond the letter of his instructions, in which he had so fully satisfied the ministry, that though upon his first signing it some exceptions had been taken, yet these were passed over, and the treaty was ratified in form.

But the present ministry had other views: they designed to set the queen at liberty from her engagements by these alliances, and to disengage her from treaties. The house of commons went now very hastily into several resolutions that were very injurious to the States: they pretended they had failed in the performance of all agreements, with relation to the service, both at sea and land; and as to the troops that were to have been furnished in Portugal and Savoy, as well as the subsidies due to those princes. They fell next on the barrier treaty: they gave it out that the old ministry designed to bring over an army from Holland whensoever they should, for other ends, pretend that the protestant succession was in danger; and it was said there was no need of any foreign assistance to maintain it. In the debate, it was insisted on, that it could be maintained safely no other way; it was not to be doubted but the king of France would assist the pretender; England was not inclined to keep up a standing army in time of peace to resist him: so that we could not be so safe any other way, as by having the States engaged to send over their army, if it should be necessary. But reason is a feeble thing to bear down resolutions already taken; so the house of commons voted the treaty dishonourable and injurious to England; and that the lord Townsend had gone beyond his instructions in signing it; and that he and all who had advised and ratified that treaty were public enemies to the kingdom. These votes were carried by a great majority, and were looked on as strange preludes to a peace. When the States heard what exceptions were taken to the barrier treaty, they wrote a very respectful letter to the queen, in which they offered to explain or mollify any part of it that was wrongly under-

stood ; but the managers of the house of commons got all their votes to be digested into a well-composed inflaming representation, which was laid before the queen : by it all the allies, but most particularly the States, were charged for having failed in many particulars contrary to their engagements. They also laid before the queen the votes they had made with relation to the barrier treaty ; and that they might name a great sum that would make a deep impression on the nation (which was ready to receive all things implicitly from them), they said England had been, during the war, overcharged nineteen millions beyond what they ought to have paid ; all which was cast on the old ministry.

The States, in answer to all this, drew up a large memorial, in which every particular in the representation was examined and fully answered. They sent it over to their envoy, who presented it to the queen : but no notice was taken of it ; the end was already served, and the entering into a discussion about it could have no other effect but to confound those who drew it. The two first heads of the States' memorial, that related to the service at sea and in Flanders, were printed here, and contained a full answer to all that was charged on them as to those matters, to the ample conviction of all who examined the particulars. The house of commons saw the effect this was likely to have, so they voted it a false, malicious, scandalous, and injurious paper ; and that the printing it was a breach of privilege. And, to stop the printing the other heads, they put the printer in prison ; this was a confutation to which no reply could be made ; yet it seemed to be a confession that their representation could not be justified, when the answer to it was so carefully stifled. The house of commons went next to repeal the naturalization act, in which they met with no opposition.

The self-denying bill was brought into the house of commons, and, as was ordinary, it passed easily there. The scandal of corruption was now higher than ever, for it was believed men were not only bribed for a whole session, but had new bribes for particular votes. The twelve new peers being brought into the house of lords, had irritated so many there, that for two days, by all the judgments that could be made of the house, the bill was likely to have passed that house : but upon some prevailing arguments, secretly and dexterously applied to some lords, an alteration was made in it, by which it was lost. For whereas the bill, as it stood, was to take place after the determination of the present parliament, this was altered, so as that it should take place after the demise of the queen : so it was no more thought on.

The house of commons voted two millions to be raised by a lottery ; for which a fund was created that might pay both principal and interest in thirty-two years.

I look next to Utrecht, where the treaty was opened. The emperor and the empire sent their ministers very late and unwillingly thither ; but they submitted to the necessity of their affairs ; yet with this condition, that the French proposals (for so the propositions that were formerly called preliminaries came to be named) should be no ground to proceed on ; and that a new treaty should be entered on, without any regard to them. It was also agreed, to save the loss of time in settling the ceremonial, that the plenipotentiaries should assume no character of dignity, until all matters were adjusted and made ready for signing. The first of January was the day named for opening the congress ; but they waited some time for the allies. In the beginning of February O. S. the French made their proposals in a very high strain.

They promised that, at the signing of the treaty, they would own the queen and the succession to the crown as she should direct ; Spain and the West Indies were to remain with king Philip ; the dominions in Italy, with the islands, except Sicily, were to go to the emperor, and the Spanish Netherlands to the elector of Bavaria : the trade was to be regulated as it was before the war ; some places in Canada were to be restored to England, with the freedom of fishery in Newfoundland ; but Placentia was to remain with the French : Dunkirk was offered to be demolished ; but Lisle and Tournay were to be given for it. The States were to have their demands for the barrier ; and the frontier between France, the empire, and Italy, was to be the same that it was before the war, by which Landau, Fenestrella, and Exiles, were to be restored to France. These demands were as extravagant as

any that France could have made in the most prosperous state of their affairs. This filled the allies with indignation, and heightened the jealousy they had of a secret understanding, between the courts of England and France.

But a great change happened in the affairs of France, at this very time, that their plenipotentiaries were making these demands at Utrecht. The dauphiness was taken suddenly ill of a surfeit, as it was given out, and died in three days; and within three or four days after that, the dauphin himself died; and, in a few days after him, his eldest son, about five or six years old, died likewise; and his second son, then about three years old, was thought to be in a dying condition. These deaths coming so quick one after another struck that court. The king himself was for some days ill, but he soon recovered. Such repeated strokes were looked on with amazement. Poison was suspected, as is usual upon all such occasions; and the duke of Orleans was generally charged with it: he was believed to have dealt much in chemistry, and was an ambitious prince. While he was in Spain, at the head of king Philip's army, he formed a project to set him aside, and to make himself king of Spain; in which, as the lord Townsend told me, he went so far, that he tried to engage Mr. Stanhope to press the queen and the States to assist him, promising to break with France and to marry king Charles's dowager. This came to be discovered. He was upon that called out of Spain; and it was thought that the only thing that saved him was the king's kindness to his natural daughter, whom he had married. The king not only passed it over, but, soon after, he obliged the duke of Berry to marry his daughter; such care had that old king taken to corrupt the blood of France with the mixture of his spurious issue. King Philip was not at all pleased with the alliance, but wrote to his elder brother, expostulating for his not opposing the marriage more vigorously; with which he professed himself so displeased, that he could not be brought to congratulate upon it. This letter was sent from Madrid to Paris, but was intercepted and sent to Barcelona, and from thence to the Hague. Dr. Hare told me he read the original letter\*.

The duke of Burgundy, when he became dauphin upon his father's death, had been let into the understanding the secrets of government; and, as was given out, he had on many occasions expressed a deep sense of the miseries of the people, with great sentiments of justice: he had likewise, in some disputes that cardinal de Noailles had with the jesuits, espoused his interests, and protected him. It was also believed that he retained a great affection to Fenelon, the archbishop of Cambray, whose fable of "Telemachus" carried in it the noblest maxims possible, for the conduct of a wise and good prince, and set forth that station in shining characters, but which were the reverse of Louis the Fourteenth's whole life and reign. These things gave the French a just sense of the loss they had in his death; and the apprehensions of a minority, after such a reign, struck them with a great consternation. These deaths, in so critical a time, seemed to portend that all the vast scheme which the king of France had formed, with so much perfidy and bloodshed, was in a fair way to be soon blasted. But I will go no further in so dark a prospect.

The French propositions raised, among the true English, a just indignation; more particularly their putting off the owning the queen until the treaty came to be signed. The lord treasurer, to soften this, said he saw a letter, in which the king of France acknowledged her queen; this was a confession that there was a private correspondence between them; yet the doing it by a letter was no legal act. In excuse of this, it was said, that the late king was not owned by the French till the treaty of Ryswick came to be signed: but there was a mediator in that treaty, with whom our plenipotentiaries only negotiated; whereas there was no mediator at Utrecht: so that the queen was now, without any interposition, treating with a prince who did not own her right to the crown†. The propositions made by the French were treated here with the greatest scorn; nor did the ministers pretend to say any thing in excuse for them. And an address was made to the queen, expressing a just indignation at such a proceeding, promising her all assistance in carrying on the war, until she should arrive at a just and honourable peace.

\* This was Dr. Francis Hare, who died bishop of Chichester in 1740. He was chaplain-general of the army under the duke of Marlborough.—General Biog. Dict.

† Was not the public entering into treaty with queen Anne an acknowledgment of her sovereignty



The allies did offer their demands next, which ran as high another way. The emperor asked the whole Spanish monarchy; England asked the restoring Newfoundland, and the demolishing of Dunkirk; the States asked their whole barrier; and every ally asked satisfaction to all the other allies, as well as to himself. England and the States declared that they demanded Spain and the West Indies for the emperor: so the high pattern set by the French in their demands, was to the full imitated by the allies. The French set a day for offering their answer; but when the day came, instead of offering an answer in writing, they proposed to enter into verbal conferences upon the demands made on both sides. This had indeed been practised in treaties where mediators interposed; but that was not done until the main points were secretly agreed to. The allies rejected this proposition, and demanded specific answers in writing; so, till the beginning of May, the treaty went on in a very languid manner in many fruitless meetings, the French always saying they had yet received no other orders: so that the negotiation there was at a full stand.

The preparations for the campaign were carried on by the emperor and the States with all possible vigour. Prince Eugene stayed three months in England in a fruitless negotiation with our court, and was sent back with general and ambiguous promises. The States gave him the supreme command of their army, and assured him that, in the execution of the project that was concerted among them, he should be put under no restraint by their deputies or generals, and that no cessation of arms should be ordered till all was settled by a general peace. The duke of Ormond followed him in April, well satisfied both with his instructions and his appointments; for he had the same allowances that had been lately voted criminal in the duke of Marlborough.

At this time the pretender was taken ill of the small-pox. He recovered of them; but his sister, who was taken with the same disease, died of it. She was, by all that knew her, admired as a most extraordinary person in all respects; insomuch that a very great character was spread of her, by those who talked but indifferently of the pretender himself. Thus he lost a great strength, which she procured to him, from all who saw or conversed with her. I turn next to give an account of the convocation.

There was a doubt suggested, whether the queen's license did still subsist after a prorogation by a royal writ. The attorney-general gave his opinion that it was still in force; upon which the bishops went on with the resolution in which the former session had ended, and sent back to the lower house a paper, which had been sent to them from that house in the former session, with such amendments as they thought proper. But then Atterbury started a new notion, that as in a session of parliament a prorogation put an end to all matters not finished, so that they were to begin all anew, the same rule was to be applied to convocations, in pursuance of his favourite notion, that the proceedings in parliament were likewise to be observed among them. The bishops did not agree to this, for, upon searching their books, they found a course of precedents to the contrary. And the schedule, by which the archbishop prorogued them, when the royal writ was sent to him, did in express words continue all things in the state in which they were then, to the next meeting. Yet this did not satisfy Atterbury and his party; so the lower house ordered him to lay the matter before the attorney-general for his opinion: he did that very partially, for he did not show him the paper sent down by the bishops; he only gave him a very defective abstract of it: whereupon the attorney-general gave him such an answer as he desired, by which it was very plain that he was not rightly informed about it. The bishops resolved to adhere to the method of former convocations, and not to begin matters afresh that had been formerly nearly finished. By this means they were at a full stop, so that they could not determine those points which had been recommended to them by the queen; but they entered upon new ones. There was then a bill in the house of parliament for building fifty new churches in and about London and Westminster; so an office for consecrating churches and churchyards was prepared: and probably this will be all the fruit that the church will reap from this convocation.

The censure that was passed on Whiston's book in the former session, had been laid before the queen in due form for her approbation; but, at the opening of this session in December, the bishops, finding that no return was come from the throne in that matter, sent two of

their number to receive her majesty's pleasure in it; the archbishop being so ill of the gout that he came not among us all that winter. The queen had put the censure that we had sent her, into the hands of some of her ministers, but could not remember to whom she gave it; so a new extract of it was sent to her, and she said she would send her pleasure upon it very speedily: but none came during the session, so all further proceedings against him were stopped, since the queen did not confirm the step that we had made. This was not unacceptable to some of us, and to myself in particular. I was gone into my diocese when that censure was passed: and I have ever thought that the true interest of the Christian religion was best consulted when nice disputing about mysteries was laid aside and forgotten.

There appeared at this time an inclination in many of the clergy to a nearer approach towards the church of Rome. Hicks, an ill-tempered man, who was now at the head of the jacobite party, had in several books promoted a notion that there was a proper sacrifice made in the Eucharist, and had on many occasions studied to lessen our aversion to popery\*. The supremacy of the crown in ecclesiastical matters, and the method in which the reformation was carried, was openly condemned. One Brett had preached a sermon in several of the pulpits of London, which he afterwards printed, in which he pressed the necessity of priestly absolution in a strain beyond what was pretended to even in the church of Rome. He said no repentance could serve without it, and affirmed that the priest was vested with the same power of pardoning that our Saviour himself had. A motion was made in the lower house of convocation to censure this, but it was so ill supported that it was let fall†. Another conceit was taken up of the invalidity of lay-baptism, on which several books have been written: nor was the dispute a trifling one, since by this notion the teachers among the dissenters passing for laymen, this went to the re-baptizing them and their congregations.

Dodwell gave the rise to this conceit. He was a very learned man, and led a strict life: he seemed to hunt after paradoxes in all his writings, and broached not a few: he thought none could be saved but those who, by the sacraments, had a federal right to it; and that these were the seals of the covenant. So that he left all who died without the sacraments, to the uncovenanted mercies of God: and to this he added, that none had a right to give the sacraments but those who were commissioned to it; and these were the apostles, and after them bishops and priests ordained by them: it followed upon this, that sacraments administered by others were of no value. He pursued these notions so far, that he asserted that the souls of men were naturally mortal, but that the immortalizing virtue was conveyed by baptism, given by persons episcopally ordained. And yet, after all this, which carried the episcopal function so high, he did not lay the original of that government, on any instruction or warrant in the Scripture; but thought it was set up in the beginning of the second century, after the apostles were all dead. He wrote very doubtfully of the time in which the canon of the New Testament was settled: he thought it was not before the second century, and that an extraordinary inspiration was continued in the churches to that very time to which he ascribed the original of episcopacy‡. This strange and precarious system

\* Dr. George Hicks was a native of Yorkshire, being born at Newsham, in 1642. He was a rover from college to college, being in succession a member of four before he obtained his fellowship at Lincoln in 1664. During a lengthened tour upon the continent, he became intimate with Henry Justell, who entrusted him with his father's manuscript work, "*Codex canonum ecclesie universalis*." The duke of Lauderdale was his patron, whom he accompanied into Scotland, where he was honoured with a doctor's degree, as he was in due course at Oxford. His highest regular preferment was the deanery of Worcester, and this he lost at the revolution, refusing to take the oaths. The nonjuring prelates consecrated him bishop of Thetford. He died in 1715. Besides being a profound scholar in divinity, he was deeply versed in Saxon literature, as is testified by his "*Thesaurus*," and "*Institutiones Grammaticæ*," of the Anglo-Saxon language. His

other works are numerous: among them are "*Discourses on Dr. Burnet and Dr. Tillotson*."—*Biograph. Britan.*

† The divine thus alightingly mentioned was Dr. Thomas Brett, who, however erroneous in his opinions, was contented to suffer in attestation that in them he was sincere. He was a very learned and talented man. His native county was Kent, having been born at Betsishanger in 1667. He was of Queen's and Corpus Christi colleges, Cambridge. His various preferments were resigned by him in 1715, when he joined the nonjuring churchmen, and he then retired to the family seat at Spring Grove. Here he devoted himself to literary pursuits. He died in 1743. His "*Essay on the Chronology of the Bible*," his "*Life of Mr. John Johnson*," and other works, are well worthy of perusal.—*Gen. Biog. Dict.*

‡ Henry Dodwell was an Irishman, born at Dublin in

was in great credit among us; and the necessity of the sacrament and the invalidity of ecclesiastical functions, when performed by persons who were not episcopally ordained, were entertained by many with great applause. This made the dissenters pass for no Christians, and put all thoughts of reconciling them to us far out of view; and several little books were spread about the nation, to prove the necessity of re-baptizing them, and that they were in a state of damnation until that was done; but few were, by these arguments, prevailed upon to be re-baptized. This struck even at the baptism by midwives in the church of Rome; which was practised and connived at here in England, until it was objected to in the conference held at Hampton Court, soon after king James the First's accession to the crown, and baptism was not until then limited to persons in orders. Nothing of this kind was so much as mentioned in the year 1660, when a great part of the nation had been baptized by dissenters; but it was now promoted with much heat.

The bishops thought it necessary to put a stop to this new and extravagant doctrine; so a declaration was agreed to, first against the irregularity of all baptism by persons who were not in holy orders; but that, yet according to the practice of the primitive church and the constant usage of the church of England, no baptism (in or with water, in the name of the Father, Son, and Holy Ghost) ought to be reiterated. The archbishop of York at first agreed to this; so it was resolved to publish it in the name of all the bishops of England: but he was prevailed on to change his mind; and refused to sign it, pretending that this would encourage irregular baptism. So the archbishop of Canterbury, with most of the bishops of his province, resolved to offer it to the convocation. It was agreed to in the upper house, the bishop of Rochester only dissenting; but when it was sent to the lower house, they would not so much as take it into consideration, but laid it aside, thinking that it would encourage those who struck at the dignity of the priesthood. This was all that passed in convocation.

The supplies demanded were given, in all about six millions; there were two lotteries of 1,800,000*l.* a-piece, besides the four shillings in the pound, and the malt bill. A motion was made for a clause to be put in one of the lottery bills, for a commission to enquire into the value and consideration of all the grants made by king William. The ministers apprehended the difficulty of carrying a money-bill, with a tack to it, through the house of lords; so they prevailed to get it separated from the money-bill, and sent up in a particular one, and undertook to carry it. When it came up to the house of lords, a great party was made against it: those who continued to pay a respect to the memory of king William thought it was a very unbecoming return to him who had delivered the nation from slavery and popery, to cast so particular an indignity on his grants. The bill made all its steps through the house of lords to the last, with a small majority of one or two. The earl of Nottingham was absent the first two days, but came to the house on the last: he said he always thought those grants were too large and very unseasonably made, but he thought there ought to be an equal way of proceeding in that matter; they ought either to resume them all, or to bring all concerned in them to an equal composition: he therefore could not approve of this bill, which, by a very clear consequence, would put it in the power of a fellow-subject to resume or to cover grants at his pleasure; and so it would put the persons, concerned in the grants, into too great a dependence on him. At the last reading of the bill seventy-eight, in person or by proxy, were for the bill, and as many were against it. The votes being equal, by the rule of the house, the negative carried it: so, for that time, the bill was lost.

During the session, reports were often given out that all things were agreed, and that the treaty was as good as finished; but new stories were set on foot, and pretended delays, to put off the expectation of peace. However, in the end of May, we were surprised with letters from the camp, which told us that the army of the allies, being joined, was twenty-

1641. He had a fellowship of Trinity college in that city, but resigned it to avoid going into holy orders. Coming to England, and his literary attainments being very apparent, he was, in 1688, elected Camden professor

of history at Oxford, but soon was deprived of the office, for refusing to take the oaths of allegiance to William and Mary. He died in 1711.—*Brokesby's Life of it.* Dodwell.



five thousand men stronger than the French; an advantage that they never had before during the whole course of the war: that prince Eugene therefore proposed that they should march towards the head of the Scheld, where the French army lay, and upon their advancing the French would be obliged either to venture on action, or to retire; and in that case Cambray would be left open to the allies to sit down before it. The council of war agreed to this, but to their great surprise the duke of Ormond showed orders not to act offensively against the French: he seemed to be very uneasy with these orders, but said he must obey them. This was much resented by the whole army, and by the ministers of the allies at the Hague and at Utrecht; and it struck us here in England with amazement.

Motions were made upon it in both houses of parliament, for it seemed we were neither to have peace nor war. So it was proposed that an address should be made to the queen, that she would set the duke of Ormond at liberty to act in concurrence with the other generals, and carry on the war so as to obtain a good peace. Those who opposed this asked what proofs they had of what was said, concerning the duke of Ormond's orders; they had only private letters, which were not produced: so it was said that there was not ground enough to found an address upon, which ought not to be made on bare reports. The ministers would neither confess nor deny the matter, pretending the oath of secrecy; yet they affirmed the duke of Ormond was at liberty to cover a siege.

That which prevailed in both houses to hinder the address was, that the ministers in both did affirm that the peace was agreed on, and would be laid before them in three or four days. It was upon that suggested that this must be a separate peace, since the allies knew nothing of it. The lord treasurer said, a separate peace was so base, so knavish, and so villanous a thing, that every one who served the queen knew they must answer it with their heads to the nation; but it would appear to be a safe and a glorious peace, much more to the honour and interest of the nation than the preliminaries that were agreed to three years before: he also affirmed that the allies knew of it, and were satisfied with it: so the motion fell; and all were in great expectation to see what a few days would produce. In order to this, it was proposed to examine into all the proceedings at the Hague and at Gertruydenburg, in the years 1709 and 1710: this was set on by a representation made by the earl of Strafford; for he affirmed in the house of lords that those matters had not been fairly represented: he said he had his information from one of the two who had been employed in those conferences: by this, it was plain he meant Buys. Lord Townsend had informed the house, that those who treated with the French at Gertruydenburg did, at their return, give an account of their negotiation to the ministers of the allies in the pensioner's presence, before they reported it to the States themselves. But upon this the earl of Strafford said they had been first secretly with the pensioner, who directed them both what to say, and what to suppress. Upon this the house made an address to the queen, desiring her to lay before them all that passed at that time, and in that negotiation. But nothing followed upon this, for it was said to be designed only to amuse the house.

Surprises came at this time quick one after another. At Utrecht, on the second of June N. S., the plenipotentiaries of the States expostulated with the bishop of Bristol upon the orders sent to the duke of Ormond. He answered he knew nothing of them, but said he had received a letter, two days before, from the queen, in which she complained that, notwithstanding all the advances she had made to engage the States to enter with her upon a plan of peace, they had not answered her as they ought, and as she hoped they would have done; therefore she did now think herself at liberty to enter into separate measures to obtain a peace for her own convenience. The plenipotentiaries said this was contrary to all their alliances and treaties; they thought that, by the deference they had showed her on all occasions, they had merited much better usage from her: they knew nothing of any advances made to them on a plan of peace. The bishop replied, that, considering the conduct of the States, the queen thought herself disengaged from all alliances and engagements with them. The bishop did not in express words name the barrier treaty, but he did not except it; so they reckoned it was included in the general words he had used. This did not agree with what the lord treasurer had said in the house of lords; and when the States' envoy com-

plained to him of these declarations made them by the bishop, all the answer he made was, that he was certainly in a very bad humour when he talked at that rate.

On the fifth of June, the queen came to the parliament, and told them on what terms a peace might be had. King Philip was to renounce the succession to the crown of France, if it should devolve on him; and this was to execute itself by putting the next to him into the succession. Sicily was to be separated from Spain, though it was not yet settled who should have it. The protestant succession was to be secured; and he who had pretended to the crown was no more to be supported. Dunkirk was to be demolished, and Newfoundland to be delivered to England. Gibraltar and Port-Mahon were to remain in our hands: we were also to have the *assiento*, a word importing the furnishing the Spanish West Indies with slaves from Africa. The Dutch were to have their barrier, except two or three places; and due regard would be had to all our allies.

Both houses agreed to make addresses of thanks to the queen, for communicating this plan to them, desiring her to finish it. An addition to these last words, "in conjunction with her allies," was moved in both houses, that so there might be a guaranty settled for the maintaining the terms of the treaty; but it was rejected by a great majority in both houses. It was said, in opposition to it, that it would subject the queen and the whole treaty to the pleasure of the allies, who might prove backward and intractable. And since England had borne the greatest share of the burthen of the war, it was reasonable that the queen should be the arbiter of the peace. On the other hand it was said, that if the allies did not enter into a guaranty, we must depend on the faith of the French, and be at their mercy, and so have nothing to trust to but the promises of a court noted, in a course of many years, for a train of perfidy. But many had formed an obstinate resolution to get out of the war on any terms; so nothing that was offered, that seemed to obstruct the arriving speedily at that end, was heard with patience; and no regard was had to the faith of treaties. Yet both houses observed one caution, not to express their being satisfied with the plan of the peace, though it was covertly insinuated. Mention was also made of our treaties with our allies, and of the protestant succession. The lords, who had all along protested against the steps that the court had taken, entered the reasons of their protesting against the negative put on adding the words, "in conjunction with her allies," and on the former vote, concerning the orders sent to the duke of Ormond. These carried in them such just and severe reflections on the ministry, as running the nation into an open breach of all public trust, and putting every thing into the hands of the French, that by the strength of the majority they were expunged. Yet they were printed, and copies of them were sent over the nation; but nothing could break through that insensibility which had stupified the people. A new set of addresses ran about, full of gross flattery, magnifying the present conduct, with severe reflections on the former ministry, which some carried back to king William's reign. Some of these addresses mentioned the protestant succession and the house of Hanover with zeal; others did it more coldly; and some made no mention at all of it. And it was universally believed that no addresses were so acceptable to the ministers as those of the last sort.

About the middle of June, the session of parliament came to an end. The queen, in her speech, said she was glad to find they approved of her scheme of peace, though that was in none of the addresses; many who intended to merit by their officious zeal had indeed magnified it in both houses, but it was not in either of their addresses. The earl of Strafford was again sent over, to induce the States to accept the offers that the French were making, and to consent to a cessation of arms.

Prince Eugene ordered Quesnoy to be besieged; and he, in conjunction with the duke of Ormond, covered the siege; but, when the place was so straitened that it could not hold out above two or three days, the duke of Ormond sent prince Eugene word that he had orders to proclaim a cessation of arms for two months. Prince Eugene disagreeing to this, he signified his orders to all the German troops that were in the queen's pay. But the States and the emperor had foreseen that this might happen, and had negotiated so effectually with the princes to whom these troops belonged, that they had sent orders to their

generals to continue with prince Eugene, and to obey his command. This they represented to the duke of Ormond ; and he upon that told them they should have neither bread nor pay, nor their arrears, if they refused to obey his orders. This last seemed unjust, since they had served hitherto according to agreement ; so that their arrears could not be detained with any colour of justice. Quesnoy capitulated, and the garrison were made prisoners of war. It was said that the court of France had promised to put Dunkirk in the queen's hands, as a sure pledge of performing all that they had stipulated, in order to a general peace. This was executed in the beginning of July, and a body of our troops, with a squadron of ships, were sent to take possession of the place. The duke of Ormond made a second attempt on the generals of the German troops, to see if they would agree to the cessation of arms ; but they excused themselves upon the orders they had received from their masters. So he proclaimed the cessation at the head of the English troops : upon which he separated himself from prince Eugene's army, and retired to Ghent and Bruges, possessing himself of them. The fortified places near the frontier had orders to let the officers pass through, but not to suffer the troops to possess themselves of them. The withdrawing the English forces in this manner from the confederate army was censured, not only as a manifest breach of faith and of treaties, but as treacherous in the highest and basest degree. The duke of Ormond had given the States such assurances of his going along with them through the whole campaign, that he was let into the secrets of all their counsels, which by that confidence were all known to the French. And, if the auxiliary German troops had not been prepared to disobey his orders, it was believed he, in conjunction with the French army, would have forced the States to come into the new measures. But that was happily prevented. Yet all this conduct of our general was applauded at home as great, just, and wise ; and our people were led to think it a kind of triumph upon Dunkirk's being put into our hands ; not considering that we had more truly put ourselves into the hands of the French by this open breach of faith ; after which the confederates could no longer trust or depend on us. Nor was this only the act of the court and ministry, but it became the act of the nation, which by a general voice did not only approve of it, but applaud it.

Prince Eugene's next attempt was upon Landrecy, in which it seemed probable that he would succeed ; but this prospect, and indeed the whole campaign, had a fatal reverse. There was a body of eight thousand or ten thousand men posted at Denain, on the Scheld, commanded by the earl of Albemarle, to secure the conveying bread and ammunition to the army and to the siege. Villars made a motion as if he designed to give prince Eugene battle, but, after a feint that way, he turned quick upon this body that lay on both sides of the river, with only one bridge of pontoons ; the rest had been sent to the siege of Landrecy, and there was not a supply of more brought. That bridge, with the weight that was on it, broke, so the bodies could not be joined. But military men assured me that, if it had not been for that misfortune, Villars's attempt might have turned fatally on himself, and to the ruin of his whole army. But, in conclusion, he gave them a total defeat, and so made himself master of those posts, which they were to defend. This opened a new scene : it not only forced the raising the siege of Landrecy, but gave Villars an occasion to seize on Marchiennes and some other places, where he found great stores of artillery and ammunition, and furnished him likewise with an opportunity of sitting down before Douay. What errors were committed, either in the counsels or orders, or in the execution of them, and at whose door these ought to be laid, is far above my understanding in military matters : but, be that as it will, this misfortune served not a little to raise the duke of Marlborough's character, under whose command no such thing had ever happened. The effects of this disgrace were great ; Douay was taken, after a long and brave defence ; prince Eugene tried to raise the siege, but did not succeed in it. Indeed the States would not put things to so great a venture, after such a loss : the garrison were made prisoners of war. Quesnoy was next besieged : the great artillery that had been employed in the siege were left in the place. The garrison improved that advantage ; so that the taking it cost the enemy very dear.

These losses created a great distraction in the counsels at the Hague ; many were inclined to accept of a cessation ; the emperor and the princes of the empire made great offers to the



States, to persuade them to continue the war ; at the same time, the French grew very insolent upon their successes, and took occasion, from a quarrel between the footmen of one of the Dutch plenipotentiaries and one of theirs, to demand an extravagant reparation ; which the Dutch not complying with, a full stop was put to all proceedings at Utrecht for some months. Our court took some pains to remove that obstruction ; but the French king's pride being now again in exaltation, he was intractable. St. John, being made viscount Bolingbroke, was sent over with secret instructions to the court of France ; where, as it was believed, the peace was fully concluded. But all that was published upon his return was a new cessation of arms, both by sea and land, for four months longer. Duke Hamilton was named to go ambassador to France, and lord Lexington to Spain. The earl of Strafford continued to press the States to come into the queen's measures, which it was said he managed with great imperiousness. The States resolved to offer their plan to the queen, in which they pressed the restoring Strasburg to the empire, to have Valenciennes demolished, and Condé added to their barrier, and that the old tariff for trade should be again restored.

The lord Lexington went first to Spain, where the cortes were summoned, in which that king did solemnly renounce, for himself and his heirs, the right of succession to the crown of France ; and limited the succession to the crown of Spain, after his own posterity, to the house of Savoy. The like renunciation was made some months after that by the princes of France to the crown of Spain. And Philip was declared incapable of succeeding to the crown of France. It was something strange to see so much weight laid on these renunciations, since the king of France had so often and so solemnly declared (upon his claiming, in the right of his queen, the Spanish Netherlands, when the renunciation made by his queen before the marriage, pursuant to the treaty of the Pyrenees, of all rights of succession to her father's dominions, was objected to him) that no renunciation, which was but a civil act, could destroy the rights of blood, founded on the laws of nature. But this was now forgotten, or very little considered. At this time, the order of the garter had nine vacant stalls ; so six knights were at one time promoted, the dukes of Beaufort, Hamilton, and Kent, and the earls of Oxford, Powlet, and Strafford. The duke of Hamilton's being appointed to go to the court of France gave melancholy speculations to those who thought him much in the pretender's interest : he was considered, not only in Scotland, but here in England, as the head of his party : but a dismal accident put an end to his life a few days before he intended to have set out on his embassy.

He and the lord Mohun were engaged in some suits of law, and a violent hatred was kindled between them ; so that, upon a very high provocation, the lord Mohun had sent him a challenge, which he tried to decline ; but both being hurried by those false points of honour, they fatally went out to Hyde Park, in the middle of November, and fought with so violent an animosity, that, neglecting the rules of art, they seemed to run on one another, as if they tried who should kill first ; in which they were both so unhappily successful, that the lord Mohun was killed outright, and duke Hamilton died in a few minutes after. I will add no character of him ; I am sorry I cannot say so much good of him as I could wish, and I had too much kindness for him to say any evil without necessity. Nor shall I make any reflections on the deplorable effect of those unchristian and barbarous maxims, which have prevailed so universally, that there is little hope left of seeing them rooted out of the minds of men ; the false notions of honour and courage being too strong to be weighed down by prudent or religious considerations.

The duke of Shrewsbury was, upon duke Hamilton's death, named for the embassy to France, and went over in the end of December. The same yacht that carried him to Calais, brought over the duke d'Aumont, the French ambassador, who was a good-natured and generous man, of profuse expense, throwing handfuls of money often out of his coach as he went about the streets. He was not thought a man of business, and seemed to employ himself chiefly in maintaining the dignity of his character and making himself acceptable to the nation. I turn next to foreign affairs.

The war in Pomerania went on but slowly, though the czar and the kings of Denmark and Poland joined their forces ; upon which it was thought the interest of Sweden must

have sunk in those parts ; but the feebleness of one or other of those princes lost them great advantages. Steinbock, the Swedish general, seeing the Danes were separated from their allies, made a quick march towards them ; and though the Saxons had joined them before he came up, yet he attacked them. The action was hot, and lasted some hours ; but it ended in a complete victory on the Swedish side. At the same time the Swedes were animated by reports from Constantinople, which gave them hopes of the war between the Turks and the czar being likely to break out again, which the king of Sweden continued to solicit, and in which he had all the assistance that the French could give him.

This gave the emperor great apprehensions that disorders in Hungary might follow upon it, which would defeat the measures he had taken to settle matters in that kingdom, so that being safe on that side he might turn his whole force against France, and by that means encourage the States to continue the war. Those in Holland who pressed the accepting the offers that France made them, represented that as a thing not possible to be supported. The promises of the emperor and the princes of the empire had so often failed them, that they said they could not be relied on : and the distractions in the North made them apprehend that those princes might be obliged to recal their troops, which were in the service of the States.

The earl of Strafford was sent back to the Hague with the French plan, which came to be called the queen's plan : but to draw them in the more, he was ordered to enter upon a new barrier treaty with them, by which the former was to be set aside. By it the States were to maintain the succession to the crown, when required to it by the queen, but not otherwise. This gave still new occasions for jealousy : for whereas, by the former treaty, they were strictly bound to maintain the succession, so that they were obliged to oppose any attempts they saw made against it, they were by this treaty obliged to stay until they were sent to ; and if our ministers should come to entertain ill designs that way, they would take care no notice should be given to the States. The barrier for the Dutch came far short of the former. The States wrote another letter to the queen, desiring her to interpose for restoring Strasburg to the empire, for adding Condé to their barrier, and for settling the commerce on the foot of the ancient tariff ; as also for obtaining more reasonable terms for the emperor. But things were so fixed between the court of France and ours, that there was no room for intercession.

The earl of Godolphin died of the stone in September. He was the man of the clearest head, the calmest temper, and the most incorrupt of all the ministers of state I have ever known. After having been thirty years in the treasury, and during nine of those lord treasurer, as he was never once suspected of corruption, or of suffering his servants to grow rich under him, so in all that time his estate was not increased by him to the value of 4000*l*. He served the queen with such a particular affection and zeal, that he studied to possess all people with great personal esteem for her : and she herself seemed to be so sensible of this for many years, that if courts were not different from all other places in the world, it might have been thought that his wise management at home, and the duke of Marlborough's glorious conduct abroad, would have fixed them in their posts, above the little practices of an artful favourite, and the cunning of a man who has not hitherto showed any token of a great genius, and is only eminent in the arts of deluding those that hearken to him.

Upon the earl of Godolphin's death, the duke of Marlborough resolved to go and live beyond sea : he executed it in the end of November, and his duchess followed him in the beginning of February. This was variously censured : some pretended it was the giving up and abandoning the concerns of his country, and they represented it as the effect of fear, with too anxious a care to secure himself ; others were glad he was safe out of ill hands, whereby if we should fall into the convulsions of a civil war, he would be able to assist the elector of Hanover, as being so entirely beloved and confided in by all our military men : whereas if he had stayed in England, it was not to be doubted but, upon the least shadow of suspicion, he would have been immediately secured ; whereas now he would be at liberty, being beyond sea, to act as there might be occasion for it.

There were two suits begun against him : the one was for the two and a half per cent. that the foreign princes were content should be deducted for contingencies, of which an

account was formerly given ; the other was, for arrears due to the builders of Blenheim house. The queen had given orders for building it with great magnificence ; all the bargains with the workmen were made in her name, and by authority from her ; and in the preambles of the acts of parliament, that confirmed the grant of Woodstock to him and his heirs, it was said the queen built the house for him : yet now, that the tradesmen were let run into an arrear of 30,000*l.*, the queen refused to pay any more ; and set them upon suing the duke of Marlborough for it, though he had never contracted with any of them : upon his going beyond sea, both those suits were stayed, which gave occasion to people to imagine, that the ministry, being disturbed to see so much public respect put on a man, whom they had used so ill, had set these prosecutions on foot, only to render his stay in England uneasy to him.

Our army continued this winter about Ghent and Bruges ; and we kept a sort of garrison in Dunkirk ; but that was so ill supplied with artillery and ammunition, that it was visible they were not in a condition to keep the place, any longer than the French were willing to let them stay in it. And during that time, they were neither allowed to have a place to worship God, nor to bury their dead in, though by a mortality that raged there, some thousands died. Our ministers continued still to press the States and the emperor to come into the queen's measures ; the emperor, on some occasions, talked in a very positive strain, as if he was resolved to put all to hazard, rather than submit to such hard conditions ; but the apprehensions of a war in the neighbourhood of Hungary, and the low state of his treasure, forced him to come down from that height, and engage the States to procure better terms for him : the demand of Strasburg was rejected by the French, with so positive an air, that our court did not move in it more ; nor did it appear that we obtained any one condition of the French, but what was offered in their own project.

In conclusion, the States were forced to yield in every particular ; and then our ministers, to give some seeming content to the nation, and to bring the States into some confidence with them, ordered the new barrier treaty to be signed ; and it was given out by their creatures, that the French were highly offended at their signing this ; making it previous to a general peace, and a sort of guaranty for it. Thus, after all the declamations that were made on the first barrier treaty, the ministers came into a new one, which though not so secure as the former, yet was liable to all the objections that were made against that. The French, as we were assured, in the progress of the treaty, used all that course of chicane, for which they have been so long famous ; and, after all the steps our court had made, to get them a treaty of their own projecting, we were not at last able to gain any one point upon them : they seemed to reckon, that now we had put ourselves in their hands, and that they might use us as they pleased.

A proclamation was set out in the end of November, giving notice that the session of parliament would be opened on the thirteenth of January ; but though the proroguing the parliament, after such a proclamation, was without a precedent, yet we were put off by seven prorogations, some for a fortnight, and some for three weeks : it was said, we were daily expecting a sudden conclusion of the treaty ; and until all was finished, the ministers could not know what aids were to be demanded. What occasioned all these delays is yet a secret to me ; so I can write nothing of it. Many expresses were sent to Vienna, and the returns to those could not come quick. The demands for restoring the electors of Bavaria and Cologne, together with a compensation for their losses, were insisted on. The emperor could not do the former of these without the diet, by whose authority they were put under the imperial ban : but neither the emperor nor diet could answer the other demand, it rose so high.

While we were at home uneasy at the many prorogations and delays, the news from beyond sea opened a new scene. The Swedes broke into Holstein, but were so closely followed by the Danes and Muscovites, that their retreat by land was cut off, and the Danish ships shut them from the Baltic sea ; they made great waste in the king of Denmark's share of Holstein, and burnt Altena, a great and rich village, within a mile of Hamburg, which being an open place, in no sort fortified, the burning it was thought contrary to the laws of war.

The king of Prussia died in February ; he was in his own person a virtuous man, and



full of zeal in the matters of religion ; he raised above two hundred new churches in his dominions ; he was weak, and much in the power of his ministers and flatterers : but was so apt to hearken to whispers, that he changed twice the whole set of his ministry : his assuming the title of a king, and his affecting an extraordinary magnificence in his court, brought a great charge on himself, and on all about him, which made him a severe master to his subjects, and set him on many pretensions, chiefly those relating to the prince of Frizeland, which were not thought well grounded. He was succeeded in his dignity by his son, who had hitherto appeared to affect a roughness of behaviour, and seemed fond of his grenadiers, not only beyond all other military men, but beyond all men whatsoever : he seemed to have a warlike inclination ; but what he will prove, now that he is on the throne, must be left to time \*.

The appearances of a new war between the Turk and the czar varied so often, that it was doubtful in what it might end : the king of Sweden used all possible means to engage the Turk in it ; but he threw himself, by his intractable obstinacy, into great dangers : the party at the Porte that opposed the war, studied to get rid of that king, and of his importunities. Orders were sent him to march back into his kingdom : and they undertook to procure him a safe passage to it ; but he treated the person that was sent with this message with great insolence, and fortified himself, as well as he could, with the Swedes that were about him, and resolved to defend himself. A force much superior to his was brought against him ; but he maintained himself so resolutely in his house, that some hundreds of those who attacked him were killed : the Turks upon that set fire to the house, whereupon he was forced to surrender, and was put under a guard, and most of his Swedes were sold for slaves ; he was carried to a house near Adrianople, but not suffered to come to court : only the Sultan disowned the violence used to his person. In the mean while, the czar shipped an army from Petersburg, that landed in Finland : the Swedes were not able to stand before him ; every place, as he advanced, submitted to him ; and he was now master of Abo, the capital of Finland, and of that whole province. Steinbock, with his army, maintained himself in Tonnin-gen, as long as their provision lasted : but, all supplies being carefully stopped, he was forced at last to deliver up himself and his army prisoners of war ; and these were the best troops the Swedes had, so that Sweden was struck with a general consternation ; to this distracted state has that furious prince abandoned his own kingdom. And there I must leave it, to return to our own affairs.

After a long expectation we at last knew, that on the thirteenth of March the treaty of peace between England, France, and the States was signed : upon this, the parliament was opened on the ninth of April. The queen in her speech told the two houses, that she had now concluded a peace, and had obtained a further security for the protestant succession, and that she was in an entire union with the house of Hanover ; she asked of the commons, the necessary supplies, and recommended to both houses, the cultivating the arts of peace, with a reflection upon faction. Upon this speech, a debate arose in the house of lords, concerning some words, that were moved to be put in the address, (which of course was to be made to the queen) applauding the conditions of the peace, and the security for the protestant succession : this was opposed, since we did not yet know what the conditions of the peace were, nor what that security was ; all that appeared was, that the pretender was gone out of France into the Barrois, a part of Lorrain, for which that duke did homage to the crown of France. An address of congratulation was agreed to, but without any approbation of the peace. The house of commons observed the same caution in their address. But upon this, a new set of addresses ran through the nation, in the usual strains of flattery and false eloquence. The parliament sat above a month before the articles of peace (and of a treaty of commerce, made at that same time) were laid before them. It was given out, that, until the ratifications were exchanged, it was not proper to publish them ; but when that was done, they were communicated to both houses, and printed.

By the treaty of peace, the French king was bound to give neither harbour nor assistance to the pretender, but acknowledged the queen's title and the protestant succession, as it was

\* He became Frederic the Great, or the Mad, for both designations are applicable. See his own "Memoirs of the House of Brandenburg."

settled by several acts of parliament: Dunkirk was to be razed in a time limited, within five months, after the ratification; but that was not to be begun, until an equivalent for it was put in the hands of France. Newfoundland, Hudson's Bay, and St. Christopher's were to be given to England; but Cape Breton was left to the French, with a liberty to dry their fish on Newfoundland: this was the main substance of the articles of peace. The treaty of commerce settled a free trade, according to the tariff in the year 1664, excepting some commodities, that were subjected to a new tariff in the year 1699, which was so high, that it amounted to a prohibition: all the productions of France were to come into England under no other duties but those that were laid on the same productions from other countries; and when this was settled, then commissaries were to be sent to London, to agree and adjust all matters relating to trade: the treaty of commerce with Spain was not yet finished. As for the allies, Portugal and Savoy were satisfied; the emperor was to have the duchy of Milan, the kingdom of Naples, and the Spanish Netherlands: Sicily was to be given to the duke of Savoy, with the title of king: and Sardinia, with the same title, was to be given to the elector of Bavaria, in lieu of his losses: the States were to deliver up Lisle, and the little places about it: and, besides the places of which they were already possessed, they were to have Namur, Charleroi, Luxemburg, Ypres, and Newport: the king of Prussia was to have the Upper Guelder, in lieu of Orange, and the other estates, which the family had in Franche Comté: this was all that I think necessary to insert here, with relation to our treaty: the emperor was to have time to the first of June, to declare his accepting of it. It did not appear what equivalent the king of France was to have for Dunkirk: no mention was made of it in the treaty; so the house of commons made an address to the queen, desiring to know what that equivalent was. Some weeks passed before they had an answer; at last the queen by a message said, the French king had that equivalent already in his own hands; but we were still in the dark as to that, no further explanation being made of it. As to Newfoundland, it was thought that the French settling at Cape Breton, instead of Placentia, would be of great advantage to them with relation to the fishery, which is the only thing that makes settlements in those parts of any value. The English have always pretended, that the first discovery of Newfoundland being made in Henry the Seventh's time, the right to it was in the crown of England. The French had leave given them in king Charles the First's time to fish there, paying tribute, as an acknowledgment of that licence: it is true, they carried this much further, during the civil wars; and this grew to a much greater height in the reign of king Charles the Second; but in king William's time, an act of parliament passed, asserting the right of the crown to Newfoundland, laying open the trade thither to all the subjects of Great Britain, with a positive and constant exclusion of all aliens and foreigners: these were the reflections on the treaty of peace; but there were more important objections made to the treaty of commerce. During king Charles the Second's reign, our trade with France was often and loudly complained of, as very prejudicial to the nation; there was a commission appointed in the year 1674, to adjust the conditions of our commerce with that nation, and then it appeared, in a scheme that was prepared by very able merchants, that we lost every year a million of money by our trade thither. This was then so well received, that the scheme was entered into the journals of both houses of parliament, and into the books of the custom-house: but the court at that time favoured the interests of France so much, preferably to their own, that the trade went still on until the year 1678, when the parliament laid, upon all French commodities, such a duty as amounted to a prohibition, and was to last for three years, and to the end of the next session of parliament: at the end of the three years, king Charles called no more parliaments; and that act was repealed in king James's parliaments: but, during the whole last war, high duties were laid on all the productions and manufactures of France; which by this treaty were to be no higher charged, than the same productions from other countries. It was said that, if we had been as often beaten by the French, as they had been by us, this would have been thought a very hard treaty; and if the articles of our commerce had been settled, before the duke of Ormond was ordered to separate his troops from the confederates, the French could not have pretended to draw us into such terms as they had insisted on since that time, because we put ourselves into their power. We were engaged, by our treaty with Portugal,

that their wines should be charged a third part lower than the French wines; but if the duties were, according to this treaty of commerce, to be made equal, then considering the difference of freight, which is more than double from Portugal, the French wines would be much cheaper; and the nation generally liking them better, by this means we should not only break our treaties with Portugal, but if we did not take off their wines, we must lose their trade, which was at present the most advantageous, that we drove any where: for, besides a great vent of our manufactures, we brought over yearly great returns of gold from thence; four, five, and six hundred thousand pounds a-year. We had brought the silk manufacture here to so great perfection, that about three hundred thousand people were maintained by it\*. For carrying this on, we brought great quantities of silk from Italy and Turkey, by which people in those countries came to take off as great quantities of our manufactures; so that our demand for silk had opened good markets for our woollen goods abroad, which must fail, if our manufacture of silk at home should be lost; which, if once we gave a free vent for silk stuffs from France among us, must soon be the case; since the cheapness of provisions and of labour in France, would enable the French to undersell us, even at our own markets. Our linen and paper manufactures would likewise be ruined by a free importation of the same goods from France. These things came to be so generally well understood, that even, while flattering addresses were coming to court from all parts of the island, petitions came from the towns and counties concerned in trade, setting forth the prejudice they apprehended from this treaty of commerce. The ministers used all possible arts to bear this clamour down; they called it faction, and decried it with a boldness, that would have surprised any, but those who had observed the methods they had taken for many years to vent the foulest calumnies, and the falsest misrepresentations possible. But the matter came to be so universally apprehended, that it could not be disguised.

The house of commons gave an aid of two shillings in the pound, though the ministers hoped to have carried it higher; but the members durst not venture on that, since a new election was soon to follow the conclusion of the session: they went next to renew the duty on malt, for another year; and here a debate arose, that was kept up some days in both houses of parliament, whether it should be laid on the whole island: it was carried in the affirmative, of which the Scots complained heavily, as a burden that their country could not bear: and whereas it was said, that those duties ought to be laid equally on all the subjects of the United Kingdom, the Scots insisted on an article of the union, by which it was stipulated, that no duty should be laid on the malt in Scotland during the war, which ought to be observed religiously. They said, it was evident, the war with Spain was not yet ended; no peace with that crown was yet proclaimed, nor so much as signed: and though it was as good as made, and was every day expected, yet it was a maxim in the construction of all laws, that odious matters ought to be strictly understood, whereas matters of favour were to be more liberally interpreted. It was farther said on the Scotch side, that this duty was, by the very words of the act, to be applied to deficiencies during the war: so this act was, upon the matter, making Scotland pay that duty during the war, from which the articles of the union did by express words exempt them. A great number of the English were convinced of the equity of these grounds, that the Scots went on; but the majority was on the other side. So, when the bill had passed through the house of commons, all the Scots of both houses met together, and agreed to move for an act, dissolving the union; they went first to the queen, and told her how grievous and indeed intolerable this duty would be to their country, so that they were under a necessity to try, how the union might be broken. The queen seemed uneasy at the motion; she studied to divert them from it, and assured them that her officers should have orders to make it easy to them. This was understood to imply that the duty should not be levied; but they knew this could not be depended on: so the motion was made in the house of lords, and most of the lords of that nation spoke to it: they set forth all the hardships, that they lay under since the union; they had no more a council in Scotland; their peers at present were the only persons in the whole island, that were judged incapable of peerage by descent; their laws were altered in matters of the highest importance, particularly in matters of treason; and now an imposition was to

\* There must be one cipher too many here. Burnet unquestionably intended to write 30,000.



be laid on their malt, which must prove an intolerable burden to the poor of that country, and force them to drink water. Upon all these reasons they moved for liberty to bring in a bill, to dissolve the union, in which they would give full security, for maintaining the queen's prerogative, and for securing the protestant succession. This was opposed with much zeal by the ministers, but was supported by others; who, though they did not intend to give up the union, yet thought it reasonable to give a hearing to this motion, that they might see how far the protestant succession could be secured, in case it should be entertained; but the majority were for rejecting the motion: when the malt-bill was brought up to the lords, there was such an opposition made to it, that fifty-six voted against it, but sixty-four were for it, and so it passed.

The matter of the greatest consequence in this session was, a bill for settling the commerce with France, according to the treaty, and for taking off the prohibitions and high duties, that were laid on the productions of France. The traders in the city of London, and those in all the other parts of England were alarmed, with the great prejudice this would bring on the whole nation. The Turkey company, those that traded to Portugal and Italy, and all who were concerned in the woollen and silk manufactures, appeared before both houses, and set forth the great mischief, that a commerce with France, on the foot of the treaty, would bring upon the nation; while none appeared on the other side, to answer their arguments, or to set forth the advantage of such a commerce. It was manifest, that none of the trading bodies had been consulted in it; and the commissioners for trade and plantations had made very material observations on the first project, which was sent to them for their opinion: and afterwards, when this present project was formed, it was also transmitted to that board by the queen's order, and they were required to make their remarks on it; but Arthur Moor, who had risen up, from being a footman without any education, to be a great dealer in trade, and was the person of that board in whom the lord treasurer confided most, moved that they might first read it every one apart, and then debate it; and he desired to have the first perusal: so he took it away, and never brought it back to them, but gave it to the lord Bolingbroke, who carried it to Paris, and there it was settled\*. The bill was very feebly maintained by those who argued for it; yet the majority went with the bill until the last day; and then the opposition to it was so strong, that the ministers seemed inclined to let it fall: but it was not then known, whether this was only a feint, or whether the instances of the French ambassador, and the engagements that our ministers were under to that court, prevailed for carrying it on. It was brought to the last step; and then a great many of those, who had hitherto gone along with the court, broke from them in this matter, and bestirred themselves so effectually, that when it came to the last division, one hundred and eighty-five were for the bill, and one hundred and ninety-four were against it: by so small a majority was a bill of such great importance lost. But the house of commons, to soften the ill constructions that might be made of their rejecting this bill, made an address to the queen, in which they thanked her for the peace she had concluded, and for the foundation laid for settling our commerce; and prayed her to name commissaries to regulate and finish that matter.

To this the queen sent an answer, of a singular composition: she said, she was glad to see they were so well pleased with the treaty of peace and commerce that she had made, and assured them that she would use her best endeavours to see all the advantages that she had stipulated for her subjects performed. This was surprising, since the house of commons had sufficiently showed, how little they were pleased with the treaty of commerce, by their rejecting the bill that was offered to confirm it; and this was insinuated in their address itself: but it was pleasantly said, that the queen answered them, according to what ought

\* Mr. Speaker Onslow says, "Mr. Moor had very extraordinary talents, with great experience and knowledge of the world, very able in parliament, and capable of the highest parts of business, with a manner in it, and indeed in his general deportment, equal almost to any rank. He knew every body, and could talk of every body, which made his conversation a sort of history of the age. He was generous and magnificent; wrote and spoke

accurately and politely; but his figure was awkward and disadvantageous. If," continues Mr. Onslow, who knew him intimately, "if he had raised himself by a course of virtue, he would have justly been deemed one of the greatest among those who have wrought their own fortunes. But, *vendidit hic auro patriam*—to Spain, at least, if not to France, in our commercial transactions at the peace of Utrecht."—Oxford ed. of this work.

to have been in their address, and not according to what was in it; besides it was observable, that her promise to maintain what was already stipulated, did not at all answer the prayer of their address. This was all that passed in this session of parliament with relation to the peace. It was once apprehended, that the ministers would have moved for an act, or at least for an address, approving the peace; and upon that I prepared a speech, which I intended to make on the subject: it was the only speech that I ever prepared beforehand; but since that matter was never brought into the house, I had no occasion to make it; yet I think proper to insert it here, that I may deliver down my thoughts of this great transaction to posterity.

“ My lords, this matter now before you, as it is of the greatest importance, so it may be seen in very different lights; I will not meddle with the political view of it; I leave that to persons who can judge and speak of it much better than I can: I will only offer to you what appears to me, when I consider it, with relation to the rules of morality and religion; in this I am sure I act within my proper sphere. Some things stick so with me, that I could have no quiet in my conscience, nor think I had answered the duty of my function, if I did not make use of the freedom of speech, that our constitution and the privileges of this house allow me: I am the more encouraged to do this, because the bringing those of our order into public councils, in which we have now such a share, was originally intended for this very end, that we should offer such considerations, as arise from the rules of our holy religion, in all matters that may come before us. In the opening my sense of things, I may be forced to use some words that may perhaps appear severe: I cannot help it, if the nature of these affairs is such, that I cannot speak plainly of them in a softer strain: I intend not to reflect on any person; and I am sure I have such a profound respect for the queen, that no part of what I may say, can be understood to reflect on her in any sort: her intentions are, no doubt, as she declares them to be, all for the good and happiness of her people; but it is not to be supposed that she can read long treaties, or carry the articles of them in her memory: so if things have been either concealed from her, or misrepresented to her, she can do no wrong; and, if any such thing has been done, we know on whom our constitution lays the blame.

“ The treaties that were made some years ago with our allies are in print; both the grand alliance, and some subsequent ones: we see many things in these that are not provided for by this peace; it was in particular stipulated, that no peace should be treated, much less concluded, without the consent of the allies. But, before I make any observations on this, I must desire you will consider how sacred a thing the public faith, that is engaged in treaties and alliances, should be esteemed.

“ I hope I need not tell you, that even heathen nations valued themselves upon their fidelity, in a punctual observing of all their treaties, and with how much infamy they branded the violation of them: if we consider that, which revealed religion teaches us to know, that man was made after the image of God, the God of all truth, as we know who is the father of lies; God hates the deceitful man, in whose mouth there is no faithfulness. In that less perfect religion of the Jews, when the Gibeonites had, by a fraudulent proceeding, drawn Joshua and the Israelites into a league with them, it was sacredly observed; and the violation of it, some time after, was severely punished. And, when the last of the kings of Judah shook off the fidelity, to which he had bound himself to the king of Babylon, the prophet thereupon said with indignation, shall he break the oath of God, and prosper? The swearing deceitfully is one of the worst character; and he who swears to his own hurt, and changes not, is among the best. It is a maxim of the wisest of kings, that the throne is established by righteousness. Treaties are of the nature of oaths; and when an oath is asked to confirm a treaty, it is never denied. The best account that I can give of the disuse of adding that sacred seal to treaties is this:

“ The popes had for some ages possessed themselves of a power, to which they had often recourse, of dissolving the faith of treaties, and the obligation of oaths: the famous, but fatal story of Ladislaus, king of Hungary, breaking his faith to Amurath, the Turk, by virtue of a papal dispensation, is well known. One of the last public acts of this sort was, when pope Clement the Seventh absolved Francis the First, from the treaty made and sworn to at

Madrid, while he was a prisoner there : the severe revenge that Charles the Fifth took of this, in the sack of Rome, and in keeping that pope for some months a prisoner, has made popes more cautious, since that time, than they were formerly : this also drew such heavy but just reproaches on the papacy, from the reformers, that some stop seems now to be put to such a barefaced protection of perjury. But the late king told me, that he understood from the German protestant princes, that they believed the confessors of popish princes had faculties from Rome, for doing this as effectually, though more secretly : he added, that they knew it went for a maxim among popish princes, that their word and faith bound them as they were men, and members of society ; but that their oaths, being acts of religion, were subject to the direction of their confessors : and that they, apprehending this, did, in all their treaties with the princes of that religion, depend upon their honour, but never asked the confirmation of an oath, which had been the practice of former ages. The protestants of France thought they had gained an additional security, for observing the edict of Nantes, when the swearing to observe it was made a part of the coronation oath : but it is probable, this very thing undermined and ruined it.

“ Grotius, Puffendorf, and others, who have written of the law of nations, lay this down for a rule, that the nature of a treaty, and the tie that arises out of it, is not altered by the having, or not having, an oath ; the oath serves only to heighten the obligation. They do also agree in this, that confederacies do not bind states to carry on a war to their utter ruin ; but that princes and states are bound to use their utmost efforts, in maintaining them : and it is agreed by all who have treated of these matters, that the common enemy, by offering to any one confederate all his pretensions, cannot justify his departing from the confederacy ; because it was entered into with that view, that all the pretensions, upon which the confederacy was made, should be insisted on or departed from, by common consent.

“ It is true, that in confederacies, where allies are bound to the performance of several articles, as to their quotas or shares, if any one fails in the part he was bound to, the other confederates have a right to demand a reparation for his non-performance : but even in that case, allies are to act as friends, by making allowances for what could not be helped, and not as enemies by taking advantages, on design to disengage them from their allies. It is certain, allies forfeit their right to the alliance, if they do not perform their part : but the failure must be evident, and an expostulation must be first made : and, if upon satisfaction demanded, it is not given, then a protestation should be made, of such non-performance ; and the rest of the confederates are at liberty, as to him who fails on his part : these are reckoned among the customs and laws of nations ; and, since nothing of this kind has been done, I cannot see how it can be made out, that the tie of the confederacy, and by consequence, that the public faith, has not been first broken on our side.

“ My lords, I cannot reconcile the carrying on a treaty with the French, without the knowledge and concurrence of the other confederate states and princes, and the concluding it, without the consent of the emperor, the principal confederate, not to mention the visible uneasiness that has appeared in the others, who seem to have been forced to consent, by declarations, if not by threatenings, from hence : I say, I cannot reconcile this with the articles of the grand alliance, and the other later treaties, that are in print : this seems to come within the charge of the prophet against those who deal treacherously, with those who had not dealt treacherously with them ; upon which, the threatening that follows may be justly apprehended : it will have a strange sound among all Christians, but more particularly among the reformed, when it is reported, that the plenipotentiary of the head of the reformed princes, said openly to the other plenipotentiaries, that the queen held herself free from all her treaties and alliances : if this be set for a precedent, here is a short way of dispensing with the public faith ; and if this was spoken by one of our prelates, I am afraid it will leave a heavy reproach on our church ; and, to speak freely, I am afraid it will draw a much heavier curse after it. My lords, there is a God in heaven, who will judge all the world, without respect of persons : nothing can prosper without his blessing : he can blast all the counsels of men, when laid in fraud and deceit, how cunningly soever they may be either contrived or disguised : and I must think that a peace made, in opposition to the express words of so many treaties, will prove a curse instead of a blessing to us : God is provoked



by such proceedings, to pour heavy judgments on us, for the violation of a faith so often given, which is so openly broken: by this our nation is dishonoured, and our church disgraced: and I dread to think, what the consequence of those things is likely to prove. I would not have expressed myself in such a manner, if I had not thought, that I was bound to it by the duty that I owe to Almighty God, by my zeal for the queen, and the church, and by my love to my country. Upon so great an occasion, I think my post in the church and in this house lays me under the strictest obligations to discharge my conscience, and to speak plainly without fear or flattery, let the effect of it, as to myself, be what it will: I shall have the more quiet in my own mind, both living and dying, for having done that, which seemed to me an indispensable duty.

“I hope this house will not bring upon themselves and the nation, the blame and guilt of approving that, which seems to be much more justly censurable: the reproach that may belong to this treaty, and the judgments of God, that may follow on it, are now what a few only are concerned in. A national approbation is a thing of another nature: the public breach of faith, in the attack that was made on the Smyrna fleet forty years ago, brought a great load of infamy on those who advised and directed it; but they were more modest than to ask a public approbation of so opprobrious a fact: it lay on a few; and the nation was not drawn into a share in the guilt of that, which was then universally detested, though it was passed over in silence: it seems enough, if not too much, to be silent on such an occasion. I can carry my compliances no further.”

I now go on with the account of what was farther done in this session: the house of commons was, as to all other things except the matter of commerce, so entirely in the hands of the ministers, that they ventured on a new demand, of a very extraordinary nature, which was made in as extraordinary a manner. The civil list, which was estimated at 600,000*l.* a-year, and was given for the ordinary support of the government, did far exceed it: and this was so evident that, during the three first years of the queen's reign, 100,000*l.* was every year applied to the war; 200,000*l.* was laid out in building of Blenheim house, and the entertaining the Palatines had cost the queen 100,000*l.* So that here was apparently a large overplus, beyond what was necessary towards the support of the government. Yet these extraordinary expenses had put the ordinary payments into such an arrear, that at Midsummer, 1710, the queen owed 510,000*l.*: but, upon a new account, this was brought to be 80,000*l.* less; and at that time there was an arrear of 190,000*l.* due to the civil list; these two sums together, amounting to 270,000*l.*, the debt that remained was but 240,000*l.* Yet now, in the end of the session, when, upon the rejecting the bill of commerce, most of the members were gone into the country, so that there were not one hundred and eighty of them left, a message was sent to the house of commons, desiring a power to mortgage a branch of the civil list, for thirty-two years, in order to raise upon it 500,000*l.*

This was thought a demand of very bad consequence, since the granting it to one prince would be a precedent to grant the like to all future princes; and, as the account of the debt was deceitfully stated, so it was known that the funds set off for the civil list would increase considerably in times of peace. So an opposition was made to it, with a great superiority in point of argument, but there was a great majority for it. And all people concluded that the true end of getting so much money into the hands of the court was to furnish their creatures sufficiently for carrying their elections.

The lords were sensible that the method of procuring this supply was contrary to their privileges, since all public supplies were either asked from the throne, or by a message which was sent to both houses at the same time. This practice was enquired into by the lords: no precedents came up to it, but some came so near it, that nothing could be made of the objection. But the ministers, apprehending that an opposition would be made to the bill if it came up alone, got it consolidated with another of 1,200,000*l.* that was before them. And the weight of these two joined together made them both pass in the house of lords without opposition.

While this was in agitation, the earl of Wharton set forth in the house of lords the danger the nation was in by the pretender's being settled in Lorraine; so he moved that an address should be made to the queen, desiring her to use her most pressing instances with the duke

of Lorraine to remove him, and with all princes, that were in amity or correspondence with her, not to receive the pretender, nor to suffer him to continue in their dominions. This was opposed by none but the lord North; so it was carried to the queen. The day after the lords had voted this, Stanhope made a motion to the same purpose in the house of commons, and it was agreed to, *nemine contradicente*. The queen, in her answer to the address of the lords, said she would repeat the instances she had already used to get that person removed, according to their desire in the address. This seemed to import that she had already pressed the duke of Lorraine on that subject, though the ministers in the house of lords acknowledged that they knew of no applications made to the duke of Lorraine, and thought the words of the answer related only to the instances she had used to get the pretender sent out of France. But the natural signification of the words seeming to relate to the duke of Lorraine, the lords made a second address, in which they said, they were surprised to find that those instances had not their full effect, notwithstanding the kings of France and Spain had showed their compliance with her desire on that occasion. All the answer brought to this was, that the queen received it graciously. She answered the commons more plainly, and promised to use her endeavours to get him removed. It was generally believed that the duke of Lorraine did not consent to receive him, till he sent one over to know the queen's pleasure upon it, and that he was very readily informed of that.

In the end of May, Spratt, bishop of Rochester, died; his parts were very bright in his youth, and gave great hopes: but these were blasted by a lazy, libertine course of life, to which his temper and good nature carried him, without considering the duties, or even the decencies, of his profession: he was justly esteemed a great master of our language, and one of our correctest writers\*. Atterbury succeeded him in that see, and in the deanery of Westminster; thus was he promoted, and rewarded for all the flame that he had raised in our church. Compton, bishop of London, died in the beginning of July, in the eighty-first year of his age: he was a generous and good-natured man, but easy and weak, and much in the power of others: he was succeeded by Robinson, bishop of Bristol. On the eighteenth of July, the queen came to the house of lords, to pass the bills, and to put an end to the session: she made a speech to her parliament, in which, after she had thanked them for the service they had done the public and for the supplies that the commons had given, she said, she hoped the affair of commerce would be so well understood at their next meeting, that the advantageous conditions she had obtained from France, would be made effectual, for the benefit of our trade: she enlarged on the praises of the present parliament; she said, at their

\* The above character of Dr. Spratt, like many others given by Burnet, of those opposed to him in politics, is much too disparaging. Dr. Thomas Spratt, a native of Dorsetshire, was born at Beaminster, in 1635. He was a member, and subsequently a fellow, of Wadham college, Oxford, where he distinguished himself in the very opposite mental pursuits, poetry and mathematics. His talents were versatile, and his political attachments equally protean. To please the anti-monarchists, he wrote an ode on Cromwell's death; to satisfy the royalists under Charles the Second, he produced a "History of the Rye House Plot;" and if James the Second had continued in the ascendant, the doctor might have been pleased to write a jacobinical narrative of Monmouth's invasion. When the Stuarts were restored, he became chaplain to the duke of Buckingham. During the very first dinner, at which he was present in this peer's residence, this witty profligate remarked, that he wondered why it generally happened that geese were placed near the clergy. "I cannot tell the reason," rejoined Spratt, "but I shall never see a goose again without thinking of your grace." The duke immediately discerned that his new chaplain was the man he needed, and from that time Spratt always supervised his patron's literary works, and assisted him much in the composition of "The Rehearsal." After various intermediate preferments, he obtained the bishopric of Rochester, in 1684. This preferment he managed to keep when James

the Second came to the throne; and how much he condescended to the times, appears in the form of thanksgiving, which he drew up when the queen of this monarch was declared pregnant. His assistants in this were Thomas White, bishop of Peterborough, and Nathaniel Crew, bishop of Durham. This caused much ridicule; amongst other pasquinades, giving rise to a ballad, which thus commenced—

Two Toms, and Nat  
In council sat,  
To rig out a thanksgiving,  
And made a pray'r,  
For a thing in the air,  
That's neither dead nor living.

When the revolution was completed, he still retained his preferments. In 1692, two villains, Blackhead and Young, concealed a treasonable paper in the bishop's house, and then denounced him to the privy council. This tribunal soon detected the baseness of this charge; yet Dr. Spratt always solemnly celebrated the anniversary of his exculpation. He died in 1713. As a divine, he was not pre-eminent, and the earl of Dartmouth probably justly as well as summarily observed of him, "he was highly valued by men of wit, and little by those of his own profession."—Biog. Britannica; Noble's Contin. of Granger; Oxford ed. of this work.

first meeting they had eased the subjects of more than nine millions, without any further charge on them ; not to mention the advantage, which the way of doing it might bring to the nation, and now they had enabled her likewise to pay her debts : they had supported the war, and strengthened her hands in obtaining a peace. She told them, at her first coming to the crown, she found a war prepared for her ; and that she had now made her many victories useful, by a safe and honourable peace. She promised herself that, with their concurrence, it would be lasting ; she desired they would make her subjects sensible, what they gained by the peace, and endeavour to dissipate all the groundless jealousies, which had been too industriously fomented ; that so our divisions might not endanger the advantages she had obtained for her kingdoms : there were some (very few she hoped) that would never be satisfied with any government ; she hoped they would exert themselves to obviate the malice of the ill-minded, and to undeceive the deluded : she recommended to them the adhering to the constitution in church and state ; such persons had the best title to her favour ; she had no other aim, but their advantage, and the securing our religion and liberty ; she hoped to meet a parliament next winter, that should act upon the same principles, and with the same prudence and vigour, to support the liberties of Europe abroad, and to reduce the spirit of faction at home. Few speeches from the throne have in my time been more severely reflected on than this was : it seemed strange the queen, who did not pretend to understand matters of trade, should pass such a censure on both houses, for their not understanding the affair of commerce ; since at the bar of both houses, and in the debates within them upon it, the interest of the nation did appear so visibly to be contrary to the treaty of commerce, that it looked like a contempt put on them, to represent it as advantageous to us, and to rank all those who had opposed it, among the ill-minded, or at least among the deluded. Nor did it escape censure, that she should affirm, that the nation was by them eased of the load of nine millions, without any further charge, since the nation must bear the constant charge of interest at six per cent. till the capital should be paid off. The sharpness with which she expressed herself was singular, and not very well suited to her dignity or her sex : nor was it well understood what could be meant by her saying, that she found a war prepared for her, at her coming to the crown ; since she herself began it, upon the addresses of both houses. It was also observed, that there was not, in all her speech, one word of the pretender, or of the protestant succession ; but that which made the greatest impression on the whole nation was, that this speech discovered plainly, that the court was resolved to have the bill of commerce pass in the next session : all people concluded the ministers were under engagements to the court of France to get it settled ; and this was taken to be the sense of the queen's words concerning the making the peace lasting ; what effect this may have on the next elections, which are quickly to follow, must be left to time.

I am now come to the end of the war, and of this parliament, both at once : it was fit they should bear some proportion to one another ; for, as this was the worst parliament I ever saw, so no assembly, but one composed as this was, could have sat quiet under such a peace. But I am now arrived at my full period, and so shall close this work : I had a noble prospect before me, in a course of many years, of bringing it to a glorious conclusion ; now the scene is so fatally altered, that I can scarcely restrain myself from giving vent to a just indignation, in severe complaints : but an historian must tell things truly as they are, and leave the descanting on them to others : so I here conclude this history of above three-and-fifty years.

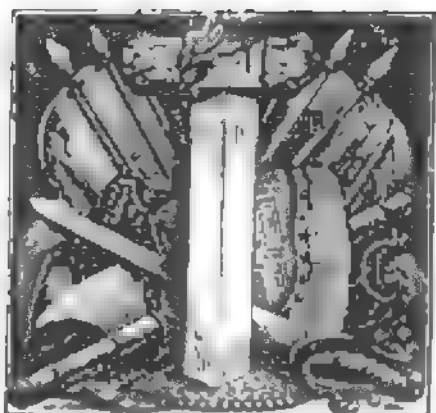
I pray God it may be read with the same candour and sincerity with which I have written it, and with such a degree of attention, as may help those who read it, to form just reflections, and sound principles of religion and virtue, of duty to our princes, and of love to our country, with a sincere and incorruptible zeal to preserve our religion, and to maintain our liberty and property\*.

\* Other authorities that may be consulted relative to the affairs of this reign, are Swift's "Four Last Years of the Reign of Queen Anne;" Boyer's "An-

nals of the Reign of Queen Anne;" Salmon's History of England; and Hamilton's "Transactions during Queen Anne's Reign."



## THE CONCLUSION.



HAVE now set out the state of affairs for above half a century, with all the care and attention that I was capable of: I have enquired into all matters among us, and have observed them, during the course of my life, with a particular application and impartiality. But my intention in writing was not so much to tell a fine tale to the world, and to amuse them with a discovery of many secrets and of intrigues of state, to blast the memory of some and to exalt others, to disgrace one party and to recommend another; my chief design was better formed, and deeper laid: it was to give such a discovery of errors in government, and of the excesses and follies of parties, as may make the next age wiser, by what I may tell them of the last. And I may presume that the observations I have made, and the account that I have given, will gain me so much credit, that I may speak with a plain freedom to all sorts of persons: this not being to be published until after I am dead, when envy, jealousy, or hatred, will be buried with me in my grave; I may hope, that what I am now to offer to succeeding ages, may be better heard, and less censured, than any thing I could offer to the present: so that this is a sort of testament or dying speech, which I leave behind me, to be read and considered when I can speak no more: I do most earnestly beg of God to direct me in it, and to give it such an effect on the minds of those who read it, that I may do more good when dead, than I could ever hope to do while I was alive.

My thoughts have run most, and dwelt longest, on the concerns of the church and religion: therefore I begin with them. I have always had a true zeal for the church of England; I have lived in its communion with great joy, and have pursued its true interests with an unfeigned affection: yet I must say there are many things in it that have been very uneasy to me.

The requiring subscriptions to the thirty-nine articles is a great imposition; I believe them all myself; but as those about original sin and predestination might be expressed more exceptionably, so I think it is a better way to let such matters continue to be still the standard of doctrine, with some few corrections, and to censure those who teach any contrary tenets: than to oblige all that serve in the church, to subscribe them; the greater part subscribe without ever examining them; and others do it because they must do it, though they can hardly satisfy their consciences about some things in them. Churches and societies are much better secured by laws, than by subscriptions: it is a more reasonable, as well as a more easy method of government.

Our worship is the most perfect composition of devotion that we find in any church, ancient or modern; yet the corrections that were agreed to by a deputation of bishops and divines in the year 1689, would make the whole frame of our liturgy still more perfect, as well as more unexceptionable; and will, I hope, at some time or other, be better entertained than they were then. I am persuaded they are such as would bring in the much greater part of the dissenters to the communion of the church, and are in themselves desirable, though there were not a dissenter in the nation.

As for the ecclesiastical jurisdiction, it has been the burden of my life to see how it was administered: our courts are managed under the rules of the canon law, dilatory and expensive; and as their constitution is bad, so the business in them is small; and therefore all possible contrivances are used to make the most of those causes that come before them; so that they are universally dreaded and hated. God grant that a time may come, in which

that noble design, so near being perfected in king Edward the Sixth's days, of the *Reformatio Legum Ecclesiasticarum*, may be reviewed and established : that so matrimonial and testamentary causes, which are of a mixed nature, may be left, a little better regulated, to the lay hands of chancellors and other officers : but that the whole correction of the manners of the laity, and the inspection into the lives and labours of the clergy, may be brought again into the hand of spiritual men, and be put into a better method. It would be well if, after the poor clergy are relieved by the tenths and first fruits, a fund were formed (of twenty or thirty pounds a-year) for the rural deans ; and that they, with at least three of the clergy of the deanery named by the bishop, examined into the manners both of clergy and laity ; and after the methods of private admonition had been tried, according to our Saviour's rule, but without effect, that the matter should be laid before the bishop, who, after his admonitions were also ineffectual, might proceed to censures, to a suspension from the sacrament, and to a full excommunication, as the case should require. This would bring our church indeed into a primitive form, in which at present the clergy have less authority, and are under more contempt, than in any church that I have yet seen. For, though in the church of Rome the public authority is in general managed, according to the method continued among us, yet it was in many particulars corrected by the council of Trent ; whereas we, by that unhappy proviso in the act, authorizing the thirty-two commissioners to reform our courts, are fatally tied down to all that was in use in the twenty-fifth year of king Henry the Eighth. Besides, in that church the clergy have, by auricular confession, but too great an authority over the people ; I am far from thinking that to be a lawful, or even a desirable thing ; but since that is not to be thought of, we are in a woful condition, in which the clergy are, as it were, shut out from any share of the main parts of the care of souls.

The want of a true well-regulated discipline is a great defect, owned to be so in the preface to the office of communion : and, while we continue in this condition, we are certainly in an imperfect state. But this did never appear to me to be a just ground of separation : which I could never think lawful, unless the terms of communion among us were unlawful, and did oblige a man to sin : that seems to me the only justifiable cause of separation, of leaving the established church, and of setting up a distinct or opposite communion. Nothing under this seems to be a just ground of rending the body of Christ, or of disturbing the order of the world and the peace of mankind, thereby drawing on that train of ill consequences that must and do follow upon such a disjoining the society of Christians ; by which they become alienated from one another, and in the sequel grow to hate and to devour each other, and by which they are in danger of being consumed one of another.

I do wish, and will pray for it as long as I live, that some regard may be had to those scruples, with which the dissenters are entangled ; and, though I think they are not all well grounded, yet for peace sake I wish some things may be taken away, and that other things may be softened and explained : many of these things were retained at the reformation, to draw the people more entirely into it ; who are apt to judge, especially in times of ignorance, by outward appearances, more than by the real value of things : so the preserving an exterior, that looked somewhat like what they had been formerly accustomed to, without doubt had a great effect at first on many persons, who, without that, could not have been easily brought over to adhere to that work : and this was a just and lawful consideration. But it is now at an end ; none now are brought over from popery by this means ; there is not therefore such a necessity for continuing them still, as there was for keeping them up at first.

I confess, it is not advisable, without good reason for it, to make great changes in things that are visible and sensible ; yet, upon just grounds, some may be made without any danger. No inconvenience could follow, on leaving out the cross in baptism, or on laying aside surplices, and regulating cathedrals, especially as to that indecent way of singing prayers, and of laymen's reading the litany : all bowings to the altar have at least an ill appearance, and are of no use ; the excluding parents from being the sponsors in baptism, and requiring them to procure others, is extremely inconvenient, and makes that to be a mockery, rather than a solemn sponsion, in too many. Other things may be so explained, that no just exceptions could lie to them.

Thus I wish the terms of communion were made larger and easier; but since all is now bound on us by a law that cannot be repealed but in parliament, there must be a great change in the minds both of princes and people, before that can be brought about; therefore the dissenters ought to consider well what they can do for peace, without sinning against God. The toleration does not at all justify their separation, it only takes away the force of penal laws against them; therefore, as lying in common discourse is still a sin, though no statute punishes it, and ingratitude is a base thing, though there is no law against it, so separating from a national body, and from the public worship, is certainly an ill thing, unless some sin be committed there, in which we think ourselves involved, by joining with that body and in that worship. So that the toleration is only a freedom from punishment, and does not alter the nature of the thing.

I say not this from any dislike of toleration; I think it is a right due to all men: their thoughts are not in their own power, they must think of things as they appear to them; their consciences are God's, he only knows them, and he only can change them. And as the authority of parents over their children is antecedent to society, and no law that takes it away can be binding, so men are bound antecedently to all society to follow what appears to them to be the will of God; and if men would act honestly, the rule of doing to all others what we would have others do to us would soon determine this matter; since every honest man must own that he would think himself hardly dealt with, if he were ill used for his opinions, and for performing such parts of worship as he thought himself indispensably obliged to. Indeed the church of Rome has some colour for her cruelty, since she pretends to be infallible. But these practices are absurdly unreasonable among those who own that they may be mistaken, and so may be persecuting the innocent and the orthodox. Persecution, if it were lawful at all, ought to be extreme, and go, as it does in the church of Rome, to extirpation; for the bad treatment of those who are suffered still to live in a society is the creating so many malcontents, who at some time or other may make those who treat them ill feel their revenge. And the principle of persecution, if true, is that to which all have a right, when they have a power to put it in practice; since they, being persuaded that they are in the right, from that must believe they may lawfully exert against others that severity under which they groaned long themselves. This will be aggravated in them by the voice of revenge, which is too apt to be well heard by human nature, chiefly when it comes with the mask and appearance of zeal. I add not here any political considerations from the apparent interest of nations, which must dispose them to encourage the increase of their people, to advance industry, and to become a sanctuary to all who are oppressed. But though this is visible, and is confessed by all, yet I am now considering this matter only as it is righteous, just, and merciful, in the principle; for if it were not so well supported in those respects, other motives would only be a temptation to princes and states to be governed by interest more than by their duty.

Having thus given my thoughts in general, with relation to the constitution of our church and the communion with it, I shall proceed, in the next place, to that which is special, with relation to the clergy. I have said a great deal on this head in my book of the Pastoral Care, which, of all the tracts I ever wrote, is that in which I rejoice the most; and though it has brought much anger on me from those who will not submit to the plan there laid down, yet it has done much good during my own life, and I hope it will do yet more good after I am dead. This is a subject I have thought much upon, and so I will here add some things to what will be found in that book.

No man ought to think of this profession, unless he feels within himself a love to religion, with a zeal for it, and an internal true piety; which is chiefly kept up by secret prayer, and by reading of the Scriptures. As long as these things are a man's burden, they are infallible indications that he has no inward vocation, nor motion of the Holy Ghost to undertake it. The capital error in men's preparing themselves for that function is, that they study books more than themselves, and that they read divinity more in other books than in the Scriptures. Days of prayer, meditation, and fasting, at least once a quarter in the Ember week, in which they may read over and over again both offices of ordination, and get by heart those passages in the epistles to Timothy and Titus that relate to this function



would form their minds to a right sense of it, and be an effectual mean to prepare them duly for it.

Ask yourselves often (for thus I address myself to you, as if I were still alive), would you follow that course of life, if there were no settled establishment belonging to it, and if you were to preach under the cross, and in danger of persecution? For, until you arrive at that, you are yet carnal, and come into the priesthood for a piece of bread. Study to keep alive in you a flame of exalted devotion; be talking often to yourselves, and communing with your own hearts; digest all that you read carefully, that you may remember it so well as not to be at a loss when any point of divinity is talked of. A little study well digested in a good serious mind will go a great way, and will lay in materials for your whole life. Above all things raise within yourselves a zeal for doing good, and for gaining souls: indeed I have lamented, during my whole life, that I saw so little true zeal among our clergy: I saw much of it in the clergy of the church of Rome, though it is both ill directed and ill conducted. I saw much zeal likewise throughout the foreign churches. The dissenters have a great deal among them. But I must own that the main body of our clergy has always appeared dead and lifeless to me; and, instead of animating one another, they seem rather to lay one another asleep. Without a visible alteration in this, you will fall under an universal contempt, and lose both the credit and the fruits of your ministry.

When you are in orders, be ever ready to perform all the parts of your functions; be not anxious about a settlement; study to distinguish yourselves in your studies, labours, exemplary deportment, and a just sweetness of temper, managed with gravity and discretion; and as for what concerns yourselves, depend on the providence of God, for he will in due time raise up friends and benefactors to you. I do affirm this, upon the observation of my whole life, that I never knew any one who conducted himself by these rules but he was brought into good posts, or at least into an easy state of subsistence.

Do not affect to run into new opinions, nor to heat yourselves in disputes about matters of small importance. Begin with settling in your minds the foundations of your faith; and be full of this and ready at it, that you may know how to deal with unbelievers, for that is the spreading corruption of this age. There are few atheists, but many infidels, who are indeed very little better than the atheists. In this argument you ought to take pains to have all well digested, and clearly laid in your thoughts, that you may manage the controversy gently, without any asperity of words, but with a strength of reason. In disputing, do not offer to answer any argument of which you never heard before, and know nothing concerning it; that will both expose you and the cause you maintain; and, if you feel yourselves grow too warm at any time, break off and persist no longer in the dispute; for you may by that grow to an indecent heat, by which you may wrong the cause which you endeavour to defend. In the matter of mysteries be very cautious, for the simplicity, in which those sublime truths are delivered in the Scriptures, ought to be well studied and adhered to. Only one part of the argument should be insisted on, I mean the shortness and defectiveness of our faculties, which, being well considered, will afford a great variety of noble speculations, that are obvious and easily apprehended, to restrain the wanton sallies of some petulant men.

Study to understand well the controversies of the church of Rome, chiefly those concerning infallibility and transubstantiation; for, in managing those, their missionaries have a particular address. Learn to view popery in a true light, as a conspiracy to exalt the power of the clergy, even by subjecting the most sacred truths of religion to contrivances for raising their authority, and by offering to the world another method of being saved besides that prescribed in the Gospel. Popery is a mass of impostures, supported by men, who manage them with great advantages, and impose them with inexpressible severities on those who dare call any thing in question that they dictate to them. I see a spirit rising among us, too like that of the church of Rome, of advancing the clergy beyond their due authority to an unjust pitch. This rather heightens jealousies and prejudices against us than advances our real authority; and it will fortify the designs of profane infidels, who desire nothing more than to see the public ministry of the church first disgraced and then abolished. The carrying any thing too far does commonly lead men into the other extreme. We are the

dispensers of the word and sacraments; and the more faithful and diligent we are in this, the world will pay so much the more respect and submission to us. And our maintaining an argument for more power than we now have will be of no effect, unless the world sees that we make a good use of the authority that is already in our hands. It is with the clergy as with princes, the only way to keep their prerogative from being uneasy to their subjects, and from being disputed, is to manage it wholly for their good and advantage; then all will be for it, when they find it is for them. This will prevail more effectually than all the arguments of lawyers, with all the precedents of former times. Therefore let the clergy live and labour well, and they will feel that as much authority will follow that, as they will know how to manage well. And, to speak plainly, Dodwell's extravagant notions, which have been too much drunk in by the clergy in my time, have weakened the power of the church, and soured men's minds more against it, than all the books written, or attempts made against it, could ever have done: and indeed the secret poison of those principles has given too many of the clergy a bias towards popery, with an aversion to the reformation, which has brought them under much contempt. This is not to be recovered, but by their living and labouring as they ought to do, without an eager maintaining of arguments for their authority, which will never succeed until they live better and labour more. When I say live better, I mean not only to live without scandal, which I have found the greatest part of them to do, but to lead exemplary lives; to be eminent in humility, meekness, sobriety, contempt of the world, and unfeigned love of the brethren; abstracted from the vain conversation of the world, retired, and at home, fasting often, joining prayer and meditation with it, without which fasting may do well with relation to the body, but will signify little with relation to the mind.

If to such a course of life clergymen would add a little more labour, not only performing public offices and preaching to the edification of the people, but watching over them, instructing them, exhorting, reproofing, and comforting them, as occasion is given, from house to house, making their calling the business of their whole life, they would soon find their own minds grow to be in a better temper, and their people would show more esteem and regard for them, and a blessing from God would attend upon their labours. I say it with great regret, I have observed the clergy in all the places through which I have travelled, papists, lutherans, calvinists, and dissenters, but, of them all, our clergy are much the most remiss in their labours in private, and the least severe in their lives. Do not think I say this to expose you, or to defame this church; those censures have passed on me for my freedom during my life, God knows how unjustly, my designs being all to awaken the clergy, and by that means to preserve the church; for which He who knows all things knows how much and how long I have been mourning in secret, and fasting and praying before him. And let me say this freely to you, now that I am out of the reach of envy and censure, unless a better spirit possesses the clergy, arguments (and which is more), laws, and authority, will not prove strong enough to preserve the church; especially if the nation observes a progress in that bias which makes many so favourable to popery and so severe towards the dissenters; this will recommend them the more to pity and favour, and will draw a general odium upon you, that may end in your ruin, or in a persecution, for which the clergy of this age seem to be very little prepared; God grant those of the next may be more so.

Oh! my brethren (for I speak to you as if I were among you), think what manner of persons you ought to be, in all holy conversation and godliness, that so you may shine as lights in the world. Think of the account you must give for those immortal souls committed to your care, which were redeemed by the blood of Christ, who has sent you in his name to persuade them to be reconciled to God, and at last to present them to him faultless with exceeding joy: he sees and observes your labours, and will recompense them gloriously in that great day.

I leave all these things on your consciences, and pray earnestly that God may give his blessing to this posthumous labour of mine, that our church may be so built up by your labours, that it may continue to be long the joy of the whole earth in the perfection of its beauty, and may be a pattern, as well as give protection, to all the churches of God.

I now turn to my brethren and successors in the episcopal order. You are they in whose hands the government of the church is put : in some respects it is believed to be wholly in you, though I know, and have often felt it, that your power is so limited that you can do little ; exemptions (a scandalous remnant of popery) take a great part of your diocese out of your hands. This I have often wondered at, that some who plead that the government of the church is settled by divine authority in the bishops, can yet, by the virtue of papal bulls, confirmed by an unhappy clause in an act of parliament, exercise episcopal jurisdiction ; which is plainly to act by virtue of the secular power, in opposition to that which, according to their principles, is settled by a divine appointment. Archdeacons' visitations were an invention of the latter ages, in which the bishops, neglecting their duty, cast a great part of their care upon them : now, their visitations are only for form and for fees, and they are a charge on the clergy ; so, when this matter is well looked into, I hope archdeacons, with many other burdens that lay heavy on the clergy, shall be taken away. All the various instruments, upon which heavy fees must be raised, were the infamous contrivances of the canonists, and can never be maintained when well examined. I say nothing to you of your lives ; I hope you are, and shall ever be, shining lights. I wish the pomp of living and the keeping high tables could be quite taken away ; it is a great charge, and no very decent one ; a great devourer of time ; it lets in much promiscuous company, and much vain discourse upon you : even civility may carry you too far in a freedom and familiarity that will make you look too like the rest of the world ; I hope this is a burden to you. It was indeed one of the greatest burdens of my life to see so much time lost, to hear so much idle talk, and to be living in a luxurious waste of that which might have been much better bestowed. I had not strength enough to break through that, which custom has imposed on those provided with plentiful bishoprics ; I pray God to help you to find a decent way of laying this down.

The wives and children of bishops ought to be exemplary in their apparel, and in their whole deportment, remembering that no part of the bishops' honours belongs to them. The wife of a bishop ought to visit the widow and the fatherless, and, by a grave authority, instruct and admonish, as well as oblige and favour, the wives of the rest of the clergy.

The children of bishops ought to be well instructed, and managed with all gravity ; bishops ought not to press them beyond their inclinations to take orders ; for this looks as if they would thrust them, how unfit or unwilling soever, into such preferments as they can give or procure for them. On the contrary, though their children should desire to go into orders, they ought not to suffer it, unless they see in them a good mind and sincere intentions with the other necessary qualifications, in which they cannot be deceived, unless they have a mind to deceive themselves. It is a betraying of their trust, and the worst sort of simony, to provide children with great dignities and benefices, only as an estate to be given them, without a due regard to their capacities or tempers. Ordinations are the only parts of the episcopal function on which the law has laid no restraint, so this ought to be heavy on your thoughts.

Ordination weeks were always dreadful things to me, when I remembered those words, "lay hands suddenly on no man, be not partaker of other men's sins ; keep thyself pure." It is true, those who came to me were generally well prepared as to their studies, and they brought testimonials and titles, which is all that in our present constitution can be demanded. I never put over the examining them to my chaplains, I did that always myself, and examined them chiefly on the proofs of revealed religion and the terms of salvation, and the new covenant through Christ, for those are the fundamentals. But my principal care was to awaken their consciences, to make them consider whether they had a motion of the Holy Ghost, calling them to the function, and to make them apprehend what belonged both to a spiritual life, and to the pastoral care. On these subjects I spoke much and often to every one of them apart, and sometimes to them all together, besides the public examination of them with my chapter.

This was all that I could do. But alas ! how defective is this ; and it is too well known how easy the clergy are in signing testimonials. That which I here propose is, that every



man who intends to be ordained, should be required to come and acquaint the bishop with it a year before, that so he may then talk to his conscience, and give him good directions, both as to his studies and the course of his life and devotions; and that he may recommend him to the care and inspection of the best clergymen that he knows in the neighbourhood where he lives, that so he may have from him, by some other conveyance than the person concerned, such an account of him as he may rely on. This is all that can be proposed, till our universities are put in a better method, or till seminaries can be raised for maintaining a number of persons, to be duly prepared for holy orders.

As to the labours of a bishop, they ought to think themselves obliged to preach as much as their health and age can admit of: this the form of ordaining bishops sets before them, together with the sense of the church in all ages. The complaint of the best men, in the worst ages, shows how much the sloth and laziness of bishops will be cried out on, and how acceptable the labours of preaching bishops have always been: the people run to hear them, and hearken to their sermons with more than ordinary attention. You will find great comfort in your labours this way, and will see the fruits of them. The discreet conduct of your clergy is to be your chief care; keep not at too great a distance, and yet let them not grow too familiar. A bishop's discourse should be well seasoned, turned chiefly to good subjects, instruction in the matters of religion, and the pastoral care; and the more diverging ones ought to be matters of learning, criticism, or history. It is in the power of a bishop to let no man despise him.

A grave but sweet deportment and a holy conversation will command a general respect; and, as for some hot and froward spirits, the less they are meddled with they will be the less able to do mischief; they delight in opposition, which they think will make them the more considerable. I have had much experience this way; nothing mortifies them so much as neglect. The more abstracted bishops live (from the world, from courts, from cabals, and from parties), they will have the more quiet within themselves, their thoughts will be free and less entangled, and they will in conclusion be the more respected by all, especially if an integrity and a just freedom appear among them in the house of lords, where they will be much observed, and judgments will be made of them there, that will follow them home to their diocesses.

Nothing will alienate the nation more from them than their becoming tools to a court, and giving up the liberties of their country, and advancing arbitrary designs; nothing will work more effectually on the dissenters than a course of moderation towards them; this will disarm their passions, and when that is done, they may be better dealt with in point of reason; all care ought to be taken to stifle new controversies in their birth, to check new opinions and vain curiosities.

Upon the whole matter, bishops ought to consider that the honour given them, and the revenues belonging to them, are such rewards for former services and such encouragements to go on to more labour and diligence, as ought to be improved as so many helps and advantages for carrying on the work of the Gospel and their heavenly Father's business. They ought to meditate on these things, and be wholly in them, so that their profiting may appear to all. They ought to preach in season and out of season, to exhort, admonish, and rebuke, with all authority.

But if they abandon themselves to sloth and idleness; if they neglect their proper function, and follow a secular, a vain, a covetous, or a luxurious, course of life; if they, not content with educating their children well, and with such a competency as may set them afloat in the world, think of building up their own houses and raising up great estates, they will put the world on many unacceptable enquiries. Wherefore is this waste made? why are these revenues continued to men who make such an ill use of them? and why is an order kept up that does the church so little good, and gives it so much scandal? The violences of archbishop Laud, and his promoting arbitrary power, ruined himself and the church both. A return of the like practices will bring with it the like dreadful consequences. The labours and the learning, the moderation and good lives of the bishops of this age, have changed the nation much with relation to them, and have possessed them of a general esteem; some

fiery spirits only excepted, who hate and revile them for that which is their true glory. I hope another age may carry this yet much further, that so they may be universally looked on as the true and tender-hearted fathers of the church.

The affinity of the matter leads me, before I enter on another scene, to say something concerning the patronage of benefices which have a care of souls belonging to them. It is a noble dignity in a family; it was highly esteemed in the times of popery, because the patron was to be named in all the masses said in his church. There is a more real value in it in our constitution, since the patron has the nomination of him to whom the care of souls is to be committed, which must take place, unless some just and legal exception can be made by the bishop. Even that is not easy to be maintained in the courts of law, where the bishop will soon be run into so great an expense, that I am afraid many, rather than venture on that, receive unworthy men into the service of the church, who are in the sequel reproaches to it; and this is often the case of the richest and best-endowed benefices.

Some sell the next advowson, which I know is said to be legal, though the incumbent lies at the point of death; others do not stick to buy and sell benefices, when open and vacant, though this is declared to be simony by law. Parents often buy them for their children, and reckon that as their portion: in that case, it is true, there is no perjury in taking the oath, for the person presented is no party to the bargain. Often ecclesiastics themselves buy the next advowson, and lodge it with trustees for their own advantage.

Where nothing of all this traffic intervenes, patrons bestow benefices on their children or friends, without considering either their abilities or merit; favour or kindred being the only thing that weighs with them. When all this is laid together, how great a part of the benefices of England are disposed of, if not simoniacally, yet at least unworthily, without regard to so sacred a trust as the care of souls? Certainly patrons who, without due care and enquiry, put souls into bad hands have much to answer for.

I will not say that a patron is bound always to bestow his church on the best man he can find: that may put him on anxieties, out of which it will not be easy to extricate himself; nor will it be always possible to balance the different excellences of men, who may have various talents that lie several ways, and all of them may be useful, some more, some less. But in this I am positive, that no patron answers the obligation of that trust, unless he is well persuaded that the clerk he presents is a truly good man, has a competent measure of knowledge, zeal, and discretion, so suited to the people for whom he names him, that he has reason to believe he will be a faithful pastor and a prudent guide to them.

Patrons ought to take this on their conscience, to manage it with great caution, and in the fear of God, and not to enter into that filthy merchandise of the souls of men, which is too common; it is likely to be a moth on their estates, and may bring a curse on their families, as well as on their persons.

I do not enter into the scandalous practices of non-residence and pluralities, which are sheltered by so many colours of law among us; whereas the church of Rome, from whence we had those and many other abuses, has freed herself from this, under which we still labour to our great and just reproach. This is so shameful a profanation of holy things, that it ought to be treated with detestation and horror. Do such men think on the vows they made on their ordination, on the rules in the Scriptures, or on the nature of their function, or that it is a care of souls? How long, how long shall this be the peculiar disgrace of our church, which, for aught I know, is the only church in the world that tolerates it? I must add, that I do not reckon the holding poor livings that lie contiguous a plurality, where both are looked after, and both afford only a competent maintenance.

I have now gone through the most important things that occur to my thoughts with relation to the clergy; I turn next to such observations, reflections, and advices, as relate to the laity. I begin with the body of the people. The commonalty of this nation are much the happiest, and live the easiest and the most plentifully, of any that ever I saw. They are very sagacious and skilful in managing all their concerns, but at the same time it is not to be conceived how ignorant they are in the matters of religion. The dissenters have a much larger share of knowledge among them than is among those who come to our churches. This is the more to be wondered at, considering the plainness in which matters of religion are

written in this age, and the many small books concerning these that have been published of late years, which go at easy rates, and of which many thousands are every year sent about by charitable societies in London, to be freely given to such as will but take them and read them. So that this ignorance seems to be obstinate and incurable.

Upon this subject, all that I can propose lies in two advices to the clergy. The one is, that they catechise the youth much at church, not only asking the questions and hearing the answers, but joining to that the explaining the terms in other words, and by turning to the bible for such passages as prove, or enlarge on, them. The doing this constantly, would infuse into the next age a higher measure of knowledge than the present is likely to be blessed with. Long sermons, in which points of divinity or morality are regularly handled, are above the capacity of the people; short and plain ones, upon a large portion of Scripture, would be better hearkened to, and have a much better effect; they would make the hearers understand and love the Scriptures more. Preachers ought to dwell often in their sermons on those sins that their hearers must needs know themselves guilty of, if they are so; such as swearing, lying, cheating, drunkenness, lewd deportment, breach of promise, love of the world, anger, envy, malice, pride, and luxury. Short discourses upon these, and often repeated in many glances and reflections on them, setting forth the real evil of them, with the ill consequences that follow, not only to others but to the persons themselves, are the best means that can be thought of for reforming them; and these will have an effect on some, if not on many. But above all, and in order to all the rest, they ought to be called on upon all occasions to reflect on their ways, to consider how they live, to pray in secret to God, confessing their sins to him, begging pardon and mercy for what is past, and his Holy Spirit to assist, strengthen, and direct them for the time to come, forming sincere resolutions to amend their ways, with relation to every particular sin that they find they may have fallen into. If the clergy will faithfully do their duty in this method, and join to it earnest prayers for their people, they may hope through the blessing of God to succeed better in their labours. The people ought to be often put in mind of the true end of the rest on the Lord's day, which is chiefly to give them time and opportunity for meditations and reflections on themselves, on what they have said or done, and on what has befallen them the former week, and to consider what may be before them in the week they are entering on. Ministers ought to visit their people, not only when they are sick unto death, but when they are in an ill state of health, or when they are under affliction. These are the times in which their spirits are tender, and they will best bear with a due freedom, which ought to be managed in the most discreet and affectionate manner. And a clergyman ought not to be a respecter of persons, and neglect the meanest of his cure; they have as immortal souls as the greatest, and for which Christ has paid the same ransom.

From the commonalty I turn to the gentry: they are for the most part the worst instructed, and the least knowing of any of their rank, I ever went amongst. The Scotch, though less able to bear the expense of a learned education, are much more knowing; the reason of which is this: the Scotch, even of indifferent fortunes, send private tutors with their children both to schools and colleges; these look after the young gentlemen mornings and evenings, and read over with them what they have learned, and so make them more perfect in it. They generally go abroad a year or two and see the world; this obliges them to behave themselves well. Whereas a gentleman here is often both ill-taught and ill-bred; this makes him haughty and insolent. The gentry are not early acquainted with the principles of religion; so that, after they have forgotten their catechism, they acquire no more new knowledge but what they learn in plays and romances. They grow soon to find it a modish thing, that looks like wit and spirit, to laugh at religion and virtue, and so become crude and unpolished infidels. If they have taken a wrong tincture at the university, that too often disposes them to hate and despise all those who separate from the church, though they can give no better reason than the papists have for hating heretics, because they forsake the church. In those seats of education, instead of being formed to love their country and constitution, the laws and liberties of it, they are rather disposed to love arbitrary government and to become slaves to absolute monarchy. A change of interest, provocation, or some other consideration may set them right again as to the public, but they have no inward



principle of love to their country and of public liberty ; so that they are easily brought to like slavery, if they may be the tools for managing it.

This is a dismal representation of things ; I have seen the nation thrice on the brink of ruin by men thus tainted. After the restoration, all were running fast into slavery. Had king Charles the Second been attentive to those bad designs (which he pursued afterwards with more caution) upon his first return, slavery and absolute power might then have been settled into a law, with a revenue able to maintain it. He played away that game without thought, and he had then honest ministers who would not serve him in it. After all that he did during the course of his reign, it was scarcely credible that the same temper should have returned in his time ; yet he recovered it in the last four years of his reign ; and the gentry of England were as active and zealous to throw up all their liberties, as their ancestors ever had been to preserve them. This continued above half a year in his brother's reign ; and he depended so much upon it, that he thought it could never go out of his hands. But he, or rather his priests, had the skill and dexterity to play this game likewise away, and lose it a second time ; so that, at the revolution, all seemed to come again into their wits. But men who have no principles cannot be steady : now the greater part of the capital gentry seem to return again to a love of tyranny, provided they may be the under-tyrants themselves ; and they seem to be even uneasy with a court when it will not be as much a court as they would have it. This is a folly of so singular a nature, that really it wants a name : it is natural for poor men, who have little to lose and much to hope for, to become the instruments of slavery ; but it is an extravagance peculiar to our age, to see rich men grow as it were in love with slavery and arbitrary power. The root of all this is, that our gentry are not betimes possessed with a true measure of solid knowledge and sound religion, with a love to their country, a hatred of tyranny, and a zeal for liberty. Plutarch's Lives, with the Greek and Roman History, ought to be early put in their hands ; they ought to be well acquainted with all history, more particularly that of our own nation, which they should not read in abridgments, but in the fullest and most copious collectors of it, that they may see to the bottom what is our constitution, and what are our laws, what are the methods bad princes have taken to enslave us, and by what conduct we have been preserved. Gentlemen ought to observe these things, and to entertain one another often upon these subjects, to raise in themselves, and to spread around them to all others, a noble ardour for law and liberty. They ought to understand popery well, to view it in its politics as well as in its religious corruptions, that they may observe and guard against their most secret practices, particularly that main one that prevails so fatally among us of making us despise the foreign churches, and hate the dissenters at home. The whole body of protestants, if united, might be an equal match to the Church of Rome. It is much superior to them in wealth and in force, if it were animated with the zeal which the monastic orders, but chiefly the jesuits, spread through their whole communion : whereas the reformed are cold and unconcerned as well as disjointed in matters that relate to religion. The chief maxim by which men who have a true zeal for their religion and their country ought to govern themselves is, to live within the extent of their estates, to be above luxury and vanity and all expenses that waste their fortunes. Luxury must drive them to court favour, to depend on ministers, and to aspire after places and pensions ; and as the seeking after these does often complete the ruin of broken families, so in many they prove only a reprieve and not a recovery ; whereas, he who is contented with his fortune, and measures his way of living by it, has another root within him, out of which every noble and generous thought will naturally spring. Public liberty has no sure foundation but in virtue, in parsimony, and moderation ; where these fail, liberty may be preserved by accidents and circumstances of affairs, but it has no bottom to rest securely on. A knowing and virtuous gentleman, who understands his religion and loves it, who practises the true rules of virtue without affectation and moroseness, who knows enough of law to keep his neighbours in order, and to give them good advice ; who keeps meetings for his county, and restrains vice and disorder at them ; who lives hospitably, frugally, and charitably ; who respects and encourages good clergymen, and worships God, both in his family and at church ; who educates his children well ; who treats his servants gently, and deals equitably with his tenants and all others with whom he has any concerns :

such a man shines, and is a public blessing to all that see him or come near him. Some such instances are yet left among us, but alas! there are not many of them. Can there be any thing more barbarous, or rather treacherous, than for gentlemen to think it is one of the honours of their houses, that none must go out of them sober? it is but a little more infamous to poison them; and yet this passes as a character of a noble housekeeper, who entertains his friends kindly. Idleness and ignorance are the ruin of the greatest part, who, if they are not fit for better things, should descend to any thing rather than suffer themselves to sink into sloth; that will carry them to the excesses of hunting, gaming, and drinking, which may ruin both soul, body, and estate. If a man, by an ill-managed or a neglected education, is so turned that every sort of study or reading is a burden, then he ought to try if he has a genius to any mechanism that may be an entertainment to him. The managing a garden is a noble, and may be made a useful, amusement; the taking some part of his estate into his own hands, if he looks carefully to it, will both employ his time well, and may turn to a good account: in a word, some employments may be better than others; but there is no employment so bad as the having none at all: the mind will contract a rust, and an unfitness for every good thing; and a man must either fill up his time with good, or at least innocent business, or it will run to the worst sort of waste, to sin and vice.

I have often thought it a great error to waste young gentlemen's years so long in learning Latin by so tedious a grammar. I know those who are bred to the professions in literature must have the Latin correctly; and for that the rules of grammar are necessary: but these are not at all requisite to those who need only so much Latin as thoroughly to understand and delight in the Roman authors and poets. But suppose a youth had, either for want of memory or of application, an incurable aversion to Latin, his education is not for that to be despaired of; there is much noble knowledge to be had in the English and French languages. Geography, history, chiefly that of our own country, the knowledge of nature, and the more practical parts of the mathematics (if he has not a genius for the demonstrative), may make a gentleman very knowing, though he has not a word of Latin. There is a fineness of thought and a nobleness of expression indeed in the Latin authors, that will make them the entertainment of a man's whole life, if he once understands and reads them with delight; but if this cannot be attained to, I would not have it reckoned that the education of an ill Latin scholar is to be given over. A competent measure of the knowledge of the law is a good foundation for distinguishing a gentleman; but I am in doubt whether his being for some time in the inns of court will contribute much to this, if he is not a studious person. Those who think they are there only to pass away so many of their years, commonly run together, and live both idly and viciously. I should imagine it a much better way, though it is not much practised, to get a learned young lawyer, who has not got into much business, to come and pass away a long vacation or two with a gentleman, to carry him through such an introduction to the study of the law, as may give him a full view of it, and good directions how to prosecute his study in it. A competent skill in this, makes a man very useful in his country, both in conducting his own affairs, and in giving good advice to those about him: it will enable him to be a good justice of peace, and to settle matters by arbitration, so as to prevent lawsuits; and, which ought to be the top of an English gentleman's ambition, to be an able parliament man: to which no gentleman ought to pretend, unless he has a true zeal for his country, with an inflexible integrity and resolution to pursue what appears to him just and right, and for the good of the public. The parliament is the fountain of law and the fence of liberty; and no sort of instruction is so necessary for a gentleman as that which may qualify him to appear there with figure and reputation.

Gentlemen in their marriages ought to consider a great many things more than fortune, though, generally speaking, that is the only thing sought for. A good understanding, good principles, and a good temper, with a liberal education, and acceptable person, are the first things to be considered; and certainly fortune ought to come after all these. Those bargains now in fashion make often unhallowed marriages, in which (besides the greater evils) more fortune is often wasted than is brought with a vain, a foolish, an indiscreet, and a hated wife. The first thought in choosing a wife ought to be, to find a help meet for the man. In a married state, the mutual study of both ought to be to help and please one another:

this is the foundation of all domestic happiness ; as to stay at home, and to love home, is the greatest help to industry, order, and the good government of a family. I have dwelt the longer on this article, because on the forming the gentry well, the good government of the nation, both in and out of parliament, does so much depend.

As for the men of trade and business, they are, generally speaking, the best body in the nation, generous, sober, and charitable. So that, while the people in the country are so immersed in their affairs that the sense of religion cannot reach them, there is a better spirit stirring in our cities ; more knowledge, more zeal, and more charity, with a great deal more of devotion. There may be too much vanity, with too pompous an exterior, mixed with these in the capital city ; but, upon the whole, they are the best we have. Want of exercise is a great prejudice to their health and a corruptor of their minds, by raising vapours and melancholy, that fills many with dark thoughts, rendering religion, which affords the truest joy, a burden to them, and making them even a burden to themselves ; this furnishes prejudices against religion to those who are but too much disposed to seek for them. The too constant intercourse of visits in town is a vast consumption of time, and gives much occasion to talk, which is at best idle, if not worse. This certainly wants regulation, and is the effect of idleness and vanity.

The stage is the great corrupter of the town, and the bad people of the town have been the chief corrupters of the stage, who run most after those plays that defile the stage and the audiences. Poets will seek to please, as actors will look for such pieces as draw the most spectators. They pretend their design is to discourage vice ; but they do really recommend it in the most effectual manner. It is a shame to our nation and religion to see the stage so reformed in France and so polluted still in England. Molière for comedy, and Racine for tragedy, are great patterns ; few can, and as few will, study to copy after them. But, till another scene appears, certainly our plays are the greatest debauchers of the nation. Gaming is a waste of time that rises out of idleness, and is kept up by covetousness ; those who can think, read, or write, to any purpose, and those who understand what conversation and friendship are, will not want such a help to wear out the day. So that, upon the whole matter, sloth and ignorance, bad education and ill company, are the chief sources of all our vice and disorders.

The ill methods of schools and colleges give the chief rise to the irregularities of the gentry ; as the breeding young women to vanity, dressing, and a false appearance of wit and behaviour, without proper work, or a due measure of knowledge, and a serious sense of religion, is the source of the corruption of that sex. Something like monasteries without vows, would be a glorious design, and might be so set on foot as to be the honour of a queen on the throne. But I will pursue this no further.

My next address is to the nobility. Most of what I have proposed to our gentry does in a more eminent manner belong to them ; the higher their condition is raised above other gentlemen, so much the more eminent ought they to be in knowledge and virtue ; the share they have in judicature in the house of lords should oblige them to acquaint themselves with the rules and principles of law ; though an unbiassed integrity, neither moved by friendship nor party, with a true understanding, will for the most part direct them in their judgment, since few cases occur where the point of law is dark or doubtful.

Every person of high rank, whose estate can bear it, ought to have two persons to manage his education ; the one a governor to form his mind, to give him true notions, to represent religion and virtue in a proper light to him, to give him a view of geography, not barely describing the maps, but adding to it the natural history of every country, its productions, arts, and trade, with the religion and government of the country, and a general idea of the history of the world, and of the various revolutions that have happened in it. Such a view will open a young person's mind ; it must be often gone over to fix it well. The ancient government in Greece, but much more that of Rome, must be minutely delivered, that the difference between a just and a vicious government may be well apprehended. The fall of the Roman greatness, under the emperors, by reason of the absolute power that let vice in upon them, which corrupted not only their courts, but their armies, ought to be fully opened. Then the Gothic government and the feudal law should be clearly explained, to open the



original of our own constitution. In all this, the chief care of a wise and good former of youth ought to be, to possess a young mind with noble principles of justice, liberty, and virtue, as the true basis of government; and with an aversion to violence and arbitrary power, servile flattery, faction, and luxury, from which the corruption and ruin of all governments have arisen.

To this governor (qualified for all this, to be sought out and hired at any rate) I would join a master for languages and other things, in which this young lord is to be instructed, who ought to be put under the direction and eye of the governor, that his time may not be lost in trifles; that nothing of pedantry, or of affectation, may be infused into a young mind, which is to be prepared for great things. A simplicity of style, with a true and grave pronunciation, ought to be well looked to; and this young nobleman ought to be accustomed as he grows up, to speak his thoughts on the sudden, with a due force and weight both of words and voice. I have often wondered to see parents, who are to leave vast estates and who stick at no expense in other things, yet be so frugal and narrow in the education of their children. They owe to their country a greater care in preparing the eldest to make that figure in it to which he is born; and they owe to their younger children, who are not to be so plentifully provided, such a liberal education as may fit them to answer the dignity of their birth, and prepare them for employments, by which they may in time give a further strength and addition to their family. I have been amazed to see how profuse some are in procuring good dancing, fencing, and riding masters for their children, and setting them out in fine clothes; and how sparing they are in that which is the chief and most important thing, and which in time may become the most useful, both to themselves and to their country. I look on the education of the youth, as the foundation of all that can be proposed for bettering the next age: it ought to be one of the chief cares of all governments, though there is nothing more universally neglected. How do some of our peers shine, merely by their virtue and knowledge; and what a contemptible figure do others make, with all their high titles and great estates!

Noblemen begin to neglect the having chaplains in their houses, and I do not much wonder at it, when I reflect on the behaviour of too many of these; light and idle, vain and insolent, impertinent and pedantic; by this want, however, the worship of God and the instruction of servants is quite neglected. But if a little more care were taken to choose well, a lord might make a good use of a chaplain, not only for those ends which I have mentioned, but for the reading such books as the lord desires to be well informed about but has not leisure to peruse himself. These he may read by his chaplain, and receive an account of them from him, and see what are the principal things to be learnt from them for which he may find leisure, though not for the whole book. By this means he may keep his chaplain well employed, and may increase his own stock of knowledge, and be well furnished with relation to all new books and new questions that are started. The family of a nobleman, well chosen and well ordered, might look like a little court in his country; for though it is a happiness to the nation that the great number of idle and useless retainers that were about noblemen anciently is much reduced, yet still they must entertain many servants, to be either nuisances where they live, or to set a pattern to others. The greater men are, they ought to be the more modest and affable, and the more easy of access, that so they may by the best sort of popularity render themselves acceptable to their country; they ought more particularly to protect the oppressed, to mortify insolence and injustice, and to enter into the true grievances of their country, that they may represent these where it may be proper, and show at least a tender care of those who ought to be protected by them, if they cannot effectually procure a redress of their grievances. A continued pursuit of such methods, with an exemplary deportment, would soon restore the nobility to their ancient lustre, from which they seem very sensible how much they are fallen, though they do not take the proper methods to recover it. Have we not seen in our time four or five lords, by their knowledge, good judgment, and integrity, raise the house of peers to a pitch of reputation and credit, that seemed once beyond the expectation or belief of those who now see it? A progress in this method will give them such authority in the nation, that they will be able not only to support their own dignity, but even to support the throne and the church.

If so small a number has raised the peerage to such a regard, that the people, contrary to all former precedents, have considered them more than their own representatives, what might not be expected from a greater number pursuing the same methods? These would become again that which their title imports, the peers of the crown as well as of the kingdom, of which that noble right of putting on their coronets at the coronation is a clear proof. Great titles, separated from the great estates and the interest their ancestors had in their countries, must sink, if not supported with somewhat of more value, great merit, and a sublime virtue.

After I have offered what I think of the greatest importance to the several ranks of men in the nation, I go next to consider that august body in which they are all united, I mean the parliament. As long as elections are set to sale, so long we are under a disease in our vitals, that, if it be not remedied in time, must ruin us at last, and end in a change of government; and what that may be, God only knows.

All laws that can be made will prove ineffectual to cure so great an evil, till there comes to be a change and reformation of morals in the nation. We see former laws are evaded, and so will all the laws that can be made, till the candidates and electors both become men of another temper and other principles than appear now among them. The expense of elections ruins families; and these families will come in time to expect a full reparation from the crown; or they will take their revenges on it, if that hope fails them. The commons will grow insolent upon it, and look on the gentry as in their dependence: during the war, and while the heat of parties ferments so much, it is not easy to find a proper remedy for this. When the war is over, one expedient in the power of the crown is to declare that elections to parliament shall be annual; but if the same heat and rivalry of parties should still continue, that would ruin families but so much the sooner.

The most promising expedient, next to a general reformation, which may seem too remote and too hopeless a prospect, is to try how this great division of the nation into whig and tory may be lessened, if not quite removed. Great numbers on both sides are drawn to take up many groundless jealousies one of another, with which men of honest minds are possessed.

There are many of the tories that, without doubt, look towards St. Germans and France; but this is not true of the bulk of their party. Many infidels, who hate all religion and all churches alike (being only against the church of England because it is in possession), do join with the whigs and the dissenters, and appear for them; from thence the ill-disposed tories possess many of those who are better minded, with an opinion that the whigs favour the dissenters only to ruin and destroy religion: and great multitudes of unthinking and ignorant men are drawn into this snare. The principles of the whigs lead them to be for the revolution, and for every thing that has been done to support and establish that; and therefore those who in their hearts hate the revolution, fortify and promote their designs, by keeping up a jealousy of all that body, which alone can and must support it. The whigs are indeed favoured by the dissenters, because they see their principles are for toleration, in which it is visible that the dissenters acquiesce, without pursuing any design contrary to the established church, into which the far greater number of them might be brought, if but a very few concessions were made them. On the other hand, the whigs, seeing the leaders of the tories drive on ill designs so visibly (endeavouring to weaken the government, to disjoint the alliance, and to put an untimely end to the war, thereby serving the interests of France and of the Pretender), and that they are followed in this by the body of the tories, who promote their elections, and adhere to them in all divisions in the two houses of parliament, and are united in one party with them, from thence conclude, that they are all equally concerned, and alike guilty: and thus they are jealous of them all. This aversion is daily growing, and will certainly continue as long as the war lasts; when that is ended, it may possibly abate: but so great a disease will not be cured until a prince of spirit and authority, managed with temper and discretion, undertakes the cure. We see oaths and subscriptions make no discrimination, since the abjuration, though penned as fully as words can go, has been taken by some who seem resolved to swallow down every thing in order to the throwing

up all at once, if they should come to have a clear majority in parliament, and durst lay aside the mask.

In the parliament of 1701, called the Impeaching Parliament, and in the first parliament called by the queen, there was a majority of tories; yet it appeared the men of ill designs durst not venture to discover themselves to their party and to the nation, so they proceeded with caution. They designed in 1701 to have had the duke of Anjou acknowledged, in order to have disgraced the late king and his most faithful ministers, that so the princes abroad, who could do nothing without assistance from England, despairing of that, might be forced to submit to the offers France made them. In the first year of the queen's reign they durst make no visible steps that way neither; but they tried to raise the heat against the dissenters, to make a breach on the toleration, and to give that body of men such a jealousy of the government, as should quite dishearten them, who were always the readiest to lend money to the public, without which the war could not be carried on vigorously. By this it may appear that many of the tories have not those views and designs that perhaps some of their leaders may be justly charged with. Now a wise and an active prince may find methods to undeceive those who are thus fatally imposed on and led blindfold into the serving the ill designs of others; especially if he will propose it, as a sure way to his favour for all whom he employs, to procure a better understanding and frequent meetings among the men of good lives and soft tempers in both parties, who by a mutual conversation will so open themselves to one another, that jealousies may by this means be easily removed. I can carry this no further at present; men of good intentions will easily find out proper methods to bring about this worthy design of healing a breach that has rent the nation from top to bottom. The parties are now so stated and kept up, not only by the elections of parliament men that return every third year, but even by the yearly elections of mayors and corporation men, that they know their strength; and in every corner of the nation the two parties stand, as it were, listed against one another. This may come in some critical time or other, at the death of a prince, or on an invasion, to have terrible effects; as at present it creates, among the best of each side, a coldness and a jealousy, and a great deal of hatred and virulence, among the much greater part.

There are two things of a very public nature that deserve the care of a parliament: the one must begin in the house of lords, and the other in the house of commons. The law of England is the greatest grievance of the nation, very expensive and dilatory; there is no end of suits, especially when they are brought into chancery. It is a matter of deep study to be exact in the law; great advantages are taken upon inconsiderable errors; and there are loud complaints of that which seems to be the chief security of property, I mean juries, which are said to be much practised upon. If a happy peace gives us quiet to look to our own affairs, there cannot be a worthier design undertaken than to reduce the law into method, to digest it into a body, and to regulate the chancery, so as to cut off the tediousness of suits, and, in a word, to compile one entire system of our laws. The work cannot be undertaken, much less finished, but by so great an authority as at least an address from the house of lords to the queen. Nothing, after the war is happily ended, can raise the glory of her reign more than to see so noble a design set on foot in her time: this would make her name sacred to posterity, which would sensibly feel all the taxes they have raised fully repaid them, if the law were made shorter, clearer, more certain, and of less expense.

The other matter, that must take its rise in the house of commons, is about the poor, and should be much laid to heart. It may be thought a strange motion from a bishop, to wish that the act, for charging every parish to maintain their own poor, were well reviewed, if not quite taken away. This seems to encourage idle and lazy people in their sloth, when they know they must be maintained. I know no other place in the world where such a law was ever made. Scotland is much the poorest part of the island, yet the poor there are maintained by the voluntary charities of the people. Holland is the most perfect pattern for putting charity in a good method; the poor work as much as they can; they are humble and industrious; they never ask any charity, and yet they are well relieved. When the poor see that their supply must in a great measure depend on their behaviour and on their



industry, as far as it can go, it will both make them better in themselves, and move others to supply them more liberally ; and when men's offerings are free (and yet are called for every time they go to church or to sacrament), this will oblige those who distribute them to be exact and impartial in it ; since their ill conduct might make the givers trust them with their charity no more, but distribute it themselves. If a spirit of true piety and charity should ever prevail in this nation, those whose condition raises them above the drudgery of servile labour, might employ some years of their life in this labour of love, and relieve one another in their turn, and so distribute among them this noble part of government. All this must begin in the house of commons ; and I leave it to the consideration of the wise and worthy members of that body, to turn their thoughts to this, as soon as by a happy peace we are delivered from the cares of the war, and are at leisure to think of our own affairs at home.

One thing more I presume to suggest, which is, that we may have fewer and shorter sessions of parliament ; the staying long in town both wastes estates, and corrupts the morals of members ; their beginning so late in the day to enter upon business is one great occasion of long sessions ; they are seldom met until about twelve o'clock ; and except on a day in which some great points are to be discussed, upon which the parties divide, they grow disposed to rise after two or three hours' sitting. The authority of the prince must be interposed to make them return to the old hours of eight and nine ; and if from that time, they sat till two, a great deal of business might be despatched in a short session \*. It is also to be hoped that, when the war is ended, parliaments will not give the necessary supplies from year to year, as in the time of war, but will settle methods for paying the public debt, and for the support of the government, for two, if not for three years. The ill effects of an annual meeting of parliament are so visible and so great, that I hope nothing but invincible necessity will ever keep us under the continuance of so great an inconvenience. I speak of this with the more concern, because this is not only a great charge on bishops, heavy on the richer, and intolerable to the poorer bishoprics ; but chiefly because it calls them away from their diocesses, and from minding their proper work, and fills their heads too much with secular thoughts, and obliges them to mix too much with secular company ; from which the more abstracted they are, as their minds will be purer and freer, so they will be able to follow their own business with less distraction, in a more constant attendance on the ministry of the word and prayer, to which, in imitation of the apostles, they ought to give themselves continually.

I have now gone over what seemed to me most practicable, as well as most important, for all ranks of men severally in the nation, as well as for that great union of them all, in the representative of the whole in parliament. I have not gone into wild notions of an imaginary reformation, more to be wished than hoped for ; but have only touched on such ill practices, and bad dispositions, as with a little care and good government may be in some measure redressed and corrected. And now, having by all these, as by so many steps, risen up to the throne, I will end this address to the nation, with an humble representation to those who are to sit on it.

I have had the honour to be admitted to much free conversation with five of our sovereigns ; king Charles the Second, king James the Second, king William the Third, queen Mary, and queen Anne. King Charles's behaviour was a thing never enough to be commended ; he was a perfectly well-bred man, easy of access, free in his discourse, and sweet in his whole deportment ; this was managed with great art, and it covered bad designs ; it was of such use to him, that it may teach all succeeding princes of what advantage an easiness of access and an obliging behaviour may be : this preserved him ; it often disarmed those resentments, which his ill conduct in every thing, both public and private, possessed all thinking people with very early, and all sorts of people at last ; and yet none could go to him but they were in a great measure softened before they left him : it looked like a charm, that could hardly be resisted ; yet there was no good nature under that, nor was there any truth in him. King James had great application to business, though without

\* The bishop could never foresee that in our age the business of parliament, and the number of small-talkers, would so increase, that the houses must sit daily for months together, from noon until long past midnight.—Ed.

a right understanding ; that application gave him a reputation till he took care to throw it off : if he had not come after king Charles, he would have passed for a prince of a sweet temper, and easy of access. King William was the reverse of all this ; he was scarcely accessible, and was always cold and silent ; he minded affairs abroad so much, and was so set on the war, that he scarcely thought of his government at home : this raised a general disgust, which was improved by men of ill designs, so that it perplexed all his affairs, and he could hardly support himself at home, whilst he was the admiration of all abroad. Queen Mary was affable, cheerful, and lively, spoke much, and yet under great reserves, minded business, and came to understand it well ; she kept close to rules, chiefly to those set her by the king ; and she charmed all that came near her. Queen Anne is easy of access, and hears every thing very gently ; but opens herself to so few, and is so cold and general in her answers, that people soon find that the chief application is to be made to her ministers and favourites, who in their turns have an entire credit and full power with her : she has laid down the splendour of a court too much, and eats privately ; so that except on Sundays, and a few hours, twice or thrice a week, at night in the drawing-room, she appears so little, that her court is, as it were, abandoned. Out of all these princes' conduct, and from their successes in their affairs, it is evident what ought to be the measures of a wise and good prince, who would govern the nation happily and gloriously.

The first, the most essential, and most indispensable rule for a king is, to study the interest of the nation, to be ever in it, and to be always pursuing it : this will lay in for him such a degree of confidence, that he will be ever safe with his people, when they feel they are safe in him. No part of our story shows this more visibly than queen Elizabeth's reign, in which the true interest of the nation was constantly pursued ; and this was so well understood by all, that every thing else was forgiven her and her ministers both. Sir Simon Dewe's journal shows a treatment of parliaments, that could not have been borne at any other time, or under any other administration : this was the constant support of king William's reign, and continues to support the present reign, as it will support all who adhere steadily to it.

A prince that would command the affections and purses of this nation, must not study to stretch his prerogative, or be uneasy under the restraints of law ; as soon as this humour shows itself, he must expect that a jealousy of him, and an uneasy opposition to him, will follow through the whole course of his reign ; whereas if he governs well, parliaments will trust him as much as a wise prince would desire to be trusted ; and will supply him in every war that is necessary, either for their own preservation, or the preservation of those allies with whom mutual interests and leagues unite him : but though, soon after the restoration, a slavish parliament supported king Charles in the Dutch war, yet the nation must be strangely changed before any thing of that sort can happen again.

One of the most detestable and the most foolish maxims, with relation to our government, is to keep up parties and a rivalry among them ; to shift and change ministers, and to go from one party to another, as they can be brought in their turns to offer the prince more money, or to give him more authority : this will in conclusion render him odious and contemptible to all parties, who growing accustomed to his fickleness, will never trust him, but rather study to secure themselves by depressing him ; of which the reign of Henry the Third of France is a signal instance. We saw what effects this had on king Charles's reign ; and king William felt what an ill step he had made, near the end of his reign, in pursuing this maxim. Nothing creates to a prince such a confidence as a constant and clear firmness and steadiness of government, with an unblemished integrity in all his professions ; and nothing will create a more universal dependence on him than, when it is visible, he studies to allay the heats of parties, and to reconcile them to one another : this will demonstrate that he loves his people, and that he has no ill designs of his own.

A prince who would be well served, ought to seek out among his subjects the best and most capable of the youth, and see to their good education at home and abroad ; he should send them to travel, and order his ministers abroad to keep such for some time about them, and to send them from court to court, to learn their language, and observe their tempers : if but twelve such were constantly kept, on an allowance of 250*l.* a-year, the whole

expense of this would rise but to 3000*l.* a-year: by this inconsiderable charge, a prince might have a constant nursery for a wise and able ministry. But those ought to be well chosen, none ought to pretend to the nomination; it ought to rise from the motion of the most honest and most disinterested of all his ministers to the prince, in secret. As great a care ought to be had in the nomination of the chaplains of his ministers abroad, that there may be a breed of worthy clergymen, who have large thoughts and great notions, from a more enlarged view of mankind and of the world. If a prince would have all that serve him grateful and true to him, he must study to find out who are the most proper and worthiest men, capable of employments, and prevent their applications, and surprise them with bestowing good posts unsought, and raising them higher, as they serve well. When it is known that a prince has made it his maxim to follow this method in distributing his favours, he will cut off applications for them; which will otherwise create a great uneasiness to him, and have this certain ill effect, that, where there are many pretenders, one must have the preference to all the rest; so that many are mortified for being rejected, and are full of envy at him who has obtained the favour, and therefore will detract from him as much as possible. This has nowhere worse effects than among the clergy, in the disposal of the dignities of the church: and therefore queen Mary resolved to break those aspirings; which resolution she carried on effectually for some years: a constant pursuing that maxim would have a great effect on the nation.

Frequent progresses round the nation, so divided, that once in seven, eight, or ten years, the chief places of it might be gone through, would recommend a prince wonderfully to the people; especially if he were gentle and affable, and would so manage his progress that it should not be a charge to any, by refusing to accept of entertainments from any person whatsoever: for the accepting these only from such as could easily bear the charge of it would be an affronting of others, who being of equal rank, though not of equal estates, would likewise desire to treat the prince. So to make a progress every where acceptable, and nowhere chargeable, the sure method would be, according to the established rule of the household, for the prince to carry the travelling wardrobe with him, and to take such houses in the way as are most convenient for him; but to entertain himself and his court there, and have a variety of tables for such as may come to attend on him. On this queen Mary had set her heart, if she had lived to see peace in her days: by this means a prince may see and be seen by his people; he may know some men that deserve to be distinguished, of whom otherwise he would never have heard; and he may learn and redress the grievances of his people, preventing all parliamentary complaints, except for such matters as cannot be cured but by a remedy in parliament: methods like these would make a prince become the idol of his people.

It is certain that their affections must follow a prince, who would consider government and the royal dignity as his calling, and would be daily employed in it, studying the good and happiness of his people, pursuing the properest ways for promoting it, without either delivering himself up to the sloth of luxury and vain magnificence, or affecting the barbarity of war and conquest; which render those who make the world a scene of blood and rapine, indeed the butchers of mankind. If these words seem not decent enough, I will make no other apology, but that I use them, because I cannot find worse: for as they are the worst of men, so they deserve the worst of language. Can it be thought that princes are raised to the highest pitch of glory and wealth, on design to corrupt their minds with pride and contempt of the rest of mankind, as if they were made only to be the instruments of their extravagancies, or the subjects of their passions and humours? No! they are exalted for the good of their fellow-creatures, in order to raise them to the truest sublimity, to become as like Divinity as a mortal creature is capable of being. None will grudge them their great treasures and authority, when they see it is all employed to make their people happy. None will envy their greatness, when they see it accompanied with a suitable greatness of soul; whereas a magnified and flattered pageant will soon fall under universal contempt and hatred. There is not any one thing more certain and more evident, than that princes are made for the people, and not the people for them; and perhaps there is no nation under heaven that is more entirely possessed with this notion of princes than the English nation is in this age,



so that they will soon be uneasy to a prince who does not govern himself by this maxim, and in time grow very unkind to him.

Great care ought to be taken in the nomination of judges and bishops. I join these together; for law and religion, justice and piety, are the support of nations, and give strength and security to governments: judges must be recommended by those in the high posts of the law; but a prince may, by his own taste and upon knowledge, choose his bishops. They ought to be men eminent for piety, learning, discretion, and zeal; not broken with age, which will quickly render them incapable of serving the church to any good purpose: person fit to be a bishop at sixty, was fit at forty; and had then spirit and activity, with a strength both of body and mind. The vast expense they are at in entering on their bishoprics ought to be regulated: no bishoprics can be, in any good degree, served under 1000*l.* a-year, at least. The judges ought to be plentifully provided for, that they may be under no temptation to supply themselves by indirect ways. One part of a prince's care, to be recommended to judges in their circuits, is to know what persons are, as it were, hid in the nation, that are fit for employments, and deserve to be encouraged; of such they ought to give an account to the lord chancellor, who ought to lay it before the throne. No crime ought to be pardoned, till the judge who gave sentence is heard, to give an account of the evidence, with the circumstances of the fact, as it appeared on the trial: no regard ought to be had to stories that are told to move compassion; for in these, little regard is had to truth: and an easiness in pardoning is, in some sort, an encouraging of crimes, and a giving license to commit them.

But to run out no longer into particulars, the great and comprehensive rule of all is, that a king should consider himself as exalted by Almighty God into that high dignity, as into a capacity of doing much good, and of being a great blessing to mankind, and in some sort a God on earth; and therefore, as he expects, that his ministers should study to advance his service, his interests, and his glory; and that, so much the more, as he raises them to higher posts of favour and honour, so he, whom God has raised to the greatest exaltation this world is capable of, should apply himself wholly to cares becoming his rank and station, to be in himself a pattern of virtue and true religion, to promote justice, to relieve and revenge the oppressed, and to seek out men of virtue and piety, and bring them into such degrees of confidence as they may be capable of; to encourage a due and a generous freedom in their advices, to be ready to see his own errors, that he may correct them, and to entertain every thing that is suggested to him, for the good of his people, and for the benefit of mankind; and to make a difference between those who court his favour for their own ends, who study to flatter and by that to please him, often to his own ruin, and those who have great views and noble aims, who set him on to pursue designs worthy of him, without mean or partial regards to any ends or interests of their own. It is not enough for a prince not to encourage vice or impiety by his own ill practices; it ought to appear that these are odious to him, and that they give him horror: a declaration of this kind, solemnly made and steadily pursued, would soon bring on at least an exterior reformation, which would have a great effect on the body of the nation, and on the rising generation, though it were but hypocritically put on at first. Such a prince would be perhaps too great a blessing to a wicked world: queen Mary seemed to have the seeds of all this in her; but the world was not worthy of her; and so God took her from it.

I will conclude this whole address to posterity with that which is the most important of all other things, and which alone will carry every thing else along with it; which is to recommend, in the most solemn and serious manner, the study and practice of religion to all sorts of men, as that which is both the light of the world and the salt of the earth. Nothing does so open our faculties, and compose and direct the whole man, as an inward sense of God, of his authority over us, of the laws he has set us, of his eye ever upon us, of his hearing our prayers, assisting our endeavours, watching over our concerns, and of his being to judge, and to reward, or punish us in another state, according to what we do in this. Nothing will give a man such a detestation of sin, and such a sense of the goodness of God, and of our obligations to holiness, as a right understanding and a firm belief of the Christian religion: nothing can give a man so calm a peace within, and such a firm security against all fears

and dangers without, as the belief of a kind and wise Providence, and of a future state. An integrity of heart gives a man a courage and a confidence that cannot be shaken : a man is sure that, by living according to the rules of religion, he becomes the wisest, the best and happiest creature that he is capable of being : honest industry, the employing his time well, and a constant sobriety, an undefiled purity and chastity, with a quiet serenity, are the best preservers of life and health ; so that, take a man as a single individual, religion is his guard, his perfection, his beauty, and his glory : this will make him the light of the world, shining brightly, and enlightening many round about him.

Then take a man as a piece of mankind, as a citizen of the world, or of any particular state, religion is indeed then the salt of the earth ; for it makes every man to be to all the rest of the world, whatsoever any one can with reason wish or desire him to be. He is true, just, honest, and faithful, in the whole commerce of life, doing to all others that which he would have others do to him : he is a lover of mankind, and of his country ; he may and ought to love some more than others ; but he has an extent of love to all, of pity and compassion, not only to the poorest, but to the worst ; for the worse any are, they are the more to be pitied. He has a complacency and delight in all that are truly though but defectively good, and a respect and veneration for all that are eminently so : he mourns for the sins and rejoices in the virtues of all that are round about him : in every relation of life, religion makes him answer all his obligations : it will make princes just and good, faithful to their promises, and lovers of their people : it will inspire subjects with respect, submission, obedience, and zeal, for their prince : it will sanctify wedlock to be a state of Christian friendship, and mutual assistance : it will give parents the truest love to their children, with a proper care of their education : it will command the returns of gratitude and obedience from children : it will teach masters to be gentle and careful of their servants, and servants to be faithful, zealous, and diligent, in their masters' concerns : it will make friends tender and true to one another ; it will make them generous, faithful, and disinterested ; it will make men live in their neighbourhood, as members of one common body, promoting first the general good of the whole, and then the good of every particular, as far as a man's sphere can go : it will make judges and magistrates just and patient, hating covetousness, and maintaining peace and order, without respect of persons : it will make people live in so inoffensive a manner, that it will be easy to maintain justice, whilst men are not disposed to give disturbance to those about them. This will make bishops and pastors faithful to their trust, tender to their people, and watchful over them ; and it will beget in the people an esteem for their persons, and their functions.

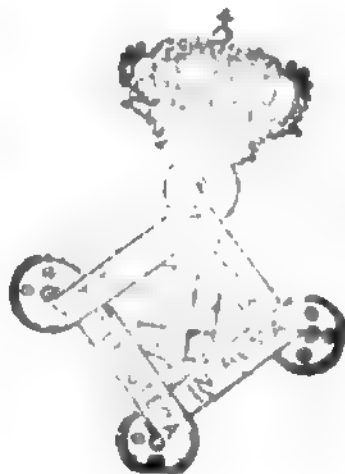
Thus religion, if truly received and sincerely adhered to, would prove the greatest of all blessings to a nation ; but by religion, I understand somewhat more than the receiving some doctrines, though ever so true, or the professing them, and engaging to support them, not without zeal and eagerness. What signify the best doctrines, if men do not live suitably to them ; if they have not a due influence upon their thoughts, their principles, and their lives ? Men of bad lives, with sound opinions, are self-condemned, and lie under a highly aggravated guilt ; nor will the heat of a party, arising out of interest, and managed with fury and violence, compensate for the ill lives of such false pretenders to zeal ; while they are a disgrace to that which they profess and seem so hot for. By religion, I do not mean an outward compliance with form and customs, in going to church, to prayers, to sermons, and to sacraments, with an external show of devotion, or, which is more, with some inward forced good thoughts, in which many may satisfy themselves, while this has no visible effect on their lives, nor any inward force to subdue and rectify their appetites, passions, and secret designs. Those customary performances, how good and useful soever, when well understood and rightly directed, are of little value, when men rest on them, and think that, because they do them, they have therefore acquitted themselves of their duty, though they continue still proud, covetous, full of deceit, envy, and malice : even secret prayer, the most effectual of all other means, is designed for a higher end, which is to possess our minds with such a constant and present sense of divine truths, as may make these live in us, and govern us ; and may draw down such assistances as may exalt and sanctify our natures.

So that by religion I mean, such a sense of divine truth as enters into a man, and becomes

a spring of a new nature within him; reforming his thoughts and designs, purifying his heart, and sanctifying him, and governing his whole deportment, his words as well as his actions; convincing him that it is not enough, not to be scandalously vicious, or to be innocent in his conversation, but that he must be entirely, uniformly, and constantly, pure and virtuous, animating him with a zeal to be still better and better, more eminently good and exemplary, using prayers and all outward devotions, as solemn acts testifying what he is inwardly and at heart, and as methods instituted by God, to be still advancing in the use of them further and further into a more refined and spiritual sense of divine matters. This is true religion, which is the perfection of human nature, and the joy and delight of every one that feels it active and strong within him: it is true, this is not arrived at all at once; and it will have an unhappy alloy, hanging long even about a good man; but, as those ill mixtures are the perpetual grief of his soul, so it is his chief care to watch over and to mortify them; he will be in a continual progress, still gaining ground upon himself; and as he attains to a good degree of purity, he will find a noble flame of life and joy growing upon him. Of this I write with the more concern and emotion, because I have felt this the true, and indeed the only joy which runs through a man's heart and life: it is that which has been for many years my greatest support; I rejoice daily in it: I feel from it the earnest of that supreme joy which I pant and long for; I am sure there is nothing else can afford any true or complete happiness. I have, considering my sphere, seen a great deal of all that is most shining and tempting in this world: the pleasures of sense I did soon nauseate; intrigues of state, and the conduct of affairs, have something in them that is more specious; and I was for some years, deeply immersed in these, but still with hopes of reforming the world, and of making mankind wiser and better: but I have found that which is crooked cannot be made straight. I acquainted myself with knowledge and learning, and that in a great variety, and with more compass than depth: but though wisdom excelleth folly as much as light does darkness, yet as it is a sore travail, so it is so very defective, that what is wanting to complete it cannot be numbered. I have seen that two were better than one, and that a threefold cord is not easily loosed; and have therefore cultivated friendship with much zeal and a disinterested tenderness; but I have found this was also vanity and vexation of spirit, though it be of the best and noblest sort. So that, upon great and long experience, I could enlarge on the preacher's text, "Vanity of vanities, and all is vanity;" but I must also conclude with him; Fear God, and keep his commandments, for this is the all of man, the whole, both of his duty and of his happiness. I do therefore end all in the words of David, of the truth of which, upon great experience and a long observation, I am so fully assured, that I leave these as my last words to posterity: "Come, ye children, hearken unto me: I will teach you the fear of the Lord. What man is he that desireth life, and loveth many days, that he may see good? Keep thy tongue from evil, and thy lips from speaking guile. Depart from evil, and do good; seek peace, and pursue it. The eyes of the Lord are upon the righteous, and his ears are open to their cry; but the face of the Lord is against them that do evil, to cut off the remembrance of them from the earth. The righteous cry, and the Lord heareth and delivereth them out of all their troubles. The Lord is nigh unto them that are of a broken heart, and saveth such as be of a contrite spirit\*."

\* Written in June, 1708, when the author thought himself near the end of the history.—This admirable "conclusion," admirable whether its sentiments or its composition are more particularly considered, has been published in a little volume by itself. It may be pondered advantageously in every age until time shall be no

more, for each of its dictates is founded on virtue, and consequently is dictated by wisdom. It is a legacy to the world, for there is no one so exalted or so humble in station or in talent, but will find himself the wealthier in the best sense of that term, if he determines to benefit by the bishop's advice.—Fa.



MAG 2000390



# INDEX.

*The references to the Notes are distinguished by asterisks.*

**A** **BERCORN**, Earl of, 22  
**Aberdeen**, Earl of, 345; breaks with Queensbury, 377; loses the Chancellor's place, 378  
**Abingdon**, Earl of, goes to the Prince of Orange, 501, 706  
**Act of Uniformity**, 125, 126, 131  
 — **Fining in Scotland**, 145  
**Admiralty**, their conduct censured, 592, 599, 639, 734, 735, 736, 766  
 See **SEA AFFAIRS**  
**Aghrem**, battle of, 571  
**Ailesbury**, Earl of, sent to King James in 1695, 612; in a plot of invasion, 626  
**Ailesbury**, town of, the right of electing members is tried at common law, 742; disputed in the Queen's Bench, if triable, 743; judged not, and writ of error brought in the House of Lords, ib.; they reverse the judgment, ib. 744; other actions brought on the same cause, 768; the Commons imprison the plaintiffs, ib.; Prisoners brought up by Habeas Corpus to Queen's Bench and remanded, ib.; Writ of error thereupon, ib.; Commons address the Queen not to grant it, 769; Lords counter-address, ib.  
**Ailloffe**, 405, 406; executed, 407  
**Aird**, 196  
**Albano** chosen Pope Clement XI. 672. See **POPE**.  
**Albano**, his nephew, 844  
**Albemarle**, Earl of, in favour with King William, 656, 666, 701; his loss at Denain, 703, 708  
**Albert**, Duke, 5  
**Alberville**, Marquis de, his character, 450; King James's envoy to the States, ib. 451; his memorial about Bantam, 461; he discovers King James's designs too soon, 464, 488  
**Aldrich**, Dr., 430  
**Almanara**, battle of, 857  
**Almanza**, battle of, 809  
**Almirante of Castile**, 730  
**Ambrun**, siege of, 583  
**Amsterdam**, errors of, 220; their love for the Duke of Marlborough, 276

**Anoram**, Earl of, 10, 238  
**Anglesey**, Earl of, manages the English interest in Ireland, 120; his character, 120\*, 152; votes against Lord Stafford, 325, 372; opposes Monmouth's attainder, 410  
**Anjou**, Duke of, offered to Spain, 598; declared King of Spain in 1700—672, 675; crowned by the States, ib.; and by King William, 682. See **PHILIP**, King of Spain  
**Annandale**, Earl of, in a plot, 560; discovers it to Queen Mary, 561, 738; opposes the Union, 800; is zealous for the Protestant succession, 780, 835  
**Anne**, Queen. See **QUEEN ANNE**  
**Annesley**, Mr., 56; made Earl of Anglesey, 64. See **ANGLESEY**, Earl of  
**Anspach**, Princess of, 811  
**Antrim**, Earl of, 22, 24, 25  
**Arco**, 753  
**Argyle**, Earl of, 14, 15; heads the Whiggamore insurrection, 26; refuses King Charles the First's offers, 38; submits to Monk, ib.; one of the Scotch commissioners, 40; charged as accessory to the king's murder, and sent to the Tower, 73; his trial, 82, 83; tries to escape, 83; his attainder, 84; his execution and speech there, ib.; his character, 84\*  
**Argyle**, Earl of, his son, (see **LORD LORN**) against violent proceedings, 143; raises 1500 men, 159, 165, 200, 278; the Duke of York tries to gain him, 338; his answer, offers to explain the test-act, 340, 342; is imprisoned, ib.; condemned, 343; but escapes, ib.; cabals with Monmouth, 354, 355, 379; and invades Scotland, 404, 405; is defeated, taken, and executed, 406  
**Argile**, Earl of, sent to tender the crown of Scotland in 1689, 538, 560; made a duke  
**Argyle**, Duke of, his son, commissioner of parliament, 738, 766, 780; his instructions debated,

780, 827; is sent to command in Spain  
**Arlington**, Earl of, 68, 167, 180, 203; Knight of the Garter, 206, 216; in the interests of France, 218, 224, 229, 231; loses the Duke of York, 233, 239; attacked by the Commons, 242; Lord Chamberlain, 243, 244; sent to Holland to the Prince of Orange, 251, 252, 384  
**Armagh**, Primate of, 419  
**Armstrong**, Sir Thomas, with the Duke of Monmouth, 352, 358; seized at Leyden, sent over and executed, 375, 376, and note  
**Army**, Scotch, defeated by Cromwell, 36; attempts to raise a new army in Scotland, ib.; a body of Highlanders stand for the king, 38; their chief officers, 38, 39; send over messages to the king, 39; are dispersed, 40; the English army how managed at the Restoration, 57; disbanded, 105; army on free quarters in the west of Scotland, 278; the army at Hounslow Heath, 447; King James's desert to the Prince of Orange, 501; parties engage in Dorsetshire and at Reading, 506  
**Army**, standing, odious to English ears, 574, 645, 654; reasons for and against one, 645, 646; reduced to 7000 men, and how modelled, 654, 678  
**Arnot**, Rachel, 9  
**Arragon**, kingdom of, declares for King Charles III., 793; reduced by the Duke of Orleans, 809, 857, 858  
**Arran**, Lord, 319, 334, 400, 477  
**Arundel**, Lord, 263, 285, 325  
**Asgill**, 670  
**Ashby**, 310, 579  
**Ashley Cowper**, 56. See **SHAFTESBURY**, Earl of  
**Ashton**, seized with Lord Preston, 564; executed, 565; his paper to the Sheriff, ib.  
**Aston**, Sir Roger, employed by King James I. as his messenger to Queen Elizabeth, 3\*



Astrologers, consulted by many men of celebrity, [17](#) \*  
 Athlone, the siege of, [571](#)  
 Athlone, Earl of (see GINKLE), [654](#), [664](#), [700](#), [712](#); his conduct in Flanders extolled, [713](#), [714](#)  
 Athol, Marquis of, [165](#), [200](#), [224](#), [226](#), [267](#); sends Highlanders in the West to live on free quarter, [277](#), [278](#), [287](#)  
 Athol, Marquis of, [737](#); made a duke, [746](#), [762](#); opposes the Union, [800](#)  
 Atterbury, Dr., [430](#), [671](#), and note, [689](#), [866](#), [868](#), [886](#); is made Bishop of Rochester, [902](#)  
 Aubigny, Lord, in the secret of King Charles II.'s religion, [48](#); marries him to Queen Catherine, [118](#); seconds the motion for a general toleration, [133](#), [135](#), [396](#)  
 Augustus, King of Poland, [640](#), [641](#) (See Elector of Saxony); his conduct in Poland, [655](#); his alliances against Sweden, [660](#); his designs on Poland, *ib.*; the war there, [667](#), [668](#), [675](#), [711](#), [716](#); he is deposed, [734](#); Stanislaus chosen and crowned in his room, [760](#), [778](#); resigns the throne, [807](#); the war continues, [832](#); he resumes the crown on the King of Sweden's defeat, [844](#)  
 Aumont, Duke de, ambassador from France, [892](#)  
 Austria, Charles Archduke of, [661](#); a treaty with Portugal in his favour. See CHARLES III. King of Spain  
 Auverquerque, General, his eminent service in Flanders, [570](#), [701](#)  
 Azuph taken by the Muscovites, [629](#)

## B.

BADEN, Lewis Prince of, beats the Turks, [573](#); comes to England, [600](#), [601](#); besieges Landau, [712](#); and takes it, [714](#); repulses Villars at Stollhoffen, [728](#), [729](#), [753](#); takes Landau a second time, [755](#); disappoints the Duke of Marlborough after measures concerted, [772](#); his death, [807](#)  
 Baillie, Mr., cited before the council in Scotland and fined, [267](#), [287](#); confers with Monmouth's party at London, [334](#); seized and examined before the king, [358](#); imprisoned and cruelly used, [359](#), [370](#); further proceedings against him, [379](#), [380](#); his execution, [380](#)  
 Baillie, Principal of Glasgow College, [21](#), and note  
 Balmerinoch, Lord, his trial, [12](#), [13](#); condemned, but pardoned, [14](#)  
 Bamfield, Colonel, [398](#)  
 Bank of England, when erected, [599](#); its good consequences, *ib.*; enlarged in 1709, [838](#); against a change of ministry in 1710, [856](#), [857](#)

Bank, Land, [626](#), and note; failed totally, [628](#)  
 Bantry Bay, sea fight there, [536](#)  
 Barn, [822](#)  
 Barbesieux, son to Louvois, [580](#)  
 Barcelona besieged by the French, [601](#); siege raised by the English fleet, *ib.*; taken by the French, [628](#); taken by King Charles in 1705, [777](#); besieged by the French, [790](#); King Charles defends it in person, [792](#); the English fleet raises the siege, [793](#)  
 Bareith, Marquis of, [582](#), [807](#)  
 Bargeny, Lord, [339](#)  
 Barillon, [273](#), [390](#)  
 Barlow, Bishop, [289](#), and note  
 Barneveldt, [6](#); executed, [211](#)  
 Bates, Dr., [175](#) and note, [611](#)  
 Bath, Earl of, [392](#); his practices on Cornish elections, [492](#); offers to join the Prince of Orange, [499](#); makes Plymouth declare for him, [503](#)  
 Bavaria, Elector of, [6](#); Spanish Flanders put into his hand, [574](#); his son proposed as successor to the Spanish monarchy, [656](#), [679](#); he is gained by France, [694](#), [711](#), [712](#), [714](#); distresses the Empire, [714](#), [727](#), [728](#), [729](#), [733](#), [752](#); his troops routed at Schellemburg, [753](#); he is beaten at Hocksted, [754](#); loses all his territories, [755](#); his conduct in Flanders, [772](#); his share at the battle of Ramillies, [794](#), [796](#); commands on the Rhine, [829](#); his attempt on Brussels, [830](#); is restored to his dominions, [894](#)  
 Baxter, Mr., manager at the Savoy conference, [123](#); his character, [123](#) \*; he refuses the Bishoprick of Hereford, [126](#); at a treaty for comprehension, [175](#); returns the pension sent him from the court, [206](#)  
 Bayly, [21](#)  
 Beachy in Sussex, a sea-fight near it, [535](#)  
 Beaufort, Duke of, [84](#), [892](#)  
 Beaumont, Colonel, refuses Irish recruits, [487](#)  
 Beddingfield, [282](#)  
 Bedlow, his evidence in the Popish plot, [286](#) and note, [295](#), [296](#), [297](#), [298](#), [309](#), [310](#), [311](#), [323](#)  
 Belcarras, Earl of, [38](#), [39](#)  
 Belhaven, Lord, [11](#)  
 Bellarmine, Cardinal, [3](#)  
 Bellasis, Lord, [285](#), [286](#)  
 Bellasis, Lady, her contract with the Duke of York, [233](#)  
 Bellefonds, [Mareschal](#), [203](#); his character, [367](#)  
 Bennet, Secretary of State, [68](#). See ARLINGTON, Earl of  
 Bentinck, Envoy from the States to Brandenburg, [481](#); his secrecy in his expedition to England, [495](#), [500](#); made earl of [Portland](#), [527](#), and note  
 Berkley, Charles, made earl of Fal-

mouth, [68](#); his character, [68](#), [69](#), and note  
 Berkley, Lord Lieutenant of Ireland, [181](#) and note, [230](#), [328](#)  
 Berkly, Lord, [856](#)  
 Berkley, Sir George, [622](#); has King James's commission to attack the Prince of Orange in his winter quarters, [622](#), [623](#); escapes, [624](#)  
 Berkshire, earl of, [98](#)  
 Berry, Duke of, [885](#)  
 Berry, executed, [295](#), [296](#)  
 Berwick, Duke of, his character, [476](#), [622](#), [747](#), [749](#), [757](#), [791](#), [793](#), [809](#), [842](#)  
 Bethel, Sheriff, [818](#)  
 Beveridge, Dr., [709](#); is made Bishop of St. Asaph, [767](#) and note, [802](#)  
 Beuning, Van, [818](#)  
 Bezons, Mareschal, [842](#), [844](#)  
 Bierly, [742](#)  
 Bill of Rights, [533](#), [534](#), and note  
 Binka, Dr., [708](#)  
 Birch, Colonel, his character, [258](#), [293](#)  
 Bishops, English, their conduct at the Revolution, [528](#), [529](#) and note; they engage in a correspondence with St. Germaine, [564](#), [565](#); their sees are filled up, [568](#); the character of the new Bishops, [569](#), [570](#), [596](#), [600](#); divided as to the point of the Duke of Norfolk's divorce, [601](#), [689](#), [690](#), [691](#), [692](#)  
 Bishops, Scotch, their errors, [4](#), [14](#); men sought out to be bishops, [88](#), [89](#); are consecrated, [92](#); come to Scotland, [94](#); are introduced to the Parliament, [95](#); prejudices against them, [103](#), [147](#); their severity to prisoners, [160](#), [161](#); are against a comprehension, [185](#); are offended at the act of supremacy, [192](#); their conduct at the Revolution, [538](#); is the cause of abolishing episcopacy, *ib.*  
 Blacklow, [133](#)  
 Blackhall, Dr., Bishop of Exeter, [816](#) and note  
 Blair, Mr., his character, [21](#)  
 Blair, of Virginia, [596](#)  
 Blake, Admiral, [52](#)  
 Blakewood, his trial, [345](#), [346](#)  
 Blandford, Bishop, attends the Duchess of York in her last sickness, [207](#)  
 Blareignies, battle of, [843](#)  
 Blenheim, or Hocksted, battle of, [754](#), [755](#)  
 Bohemia, affairs there, [7](#)  
 Bolingbroke, Viscount, sent to France [892](#), [898](#); receives the seals, [856](#) and note  
 Bolton, Duke of, [544](#); attacks the Marquis of Halifax in Parliament, *ib.*; his death and character, [657](#)  
 Bonantine, Bishop, [14](#)  
 Booth, Sir George, [43](#)  
 Boots, a torture used in Scotland, [160](#)  
 Borel, his answer to King Charles II., [53](#), [216](#)



- Borghese, Prince, [423](#)
- Boucher, in a plot, [747](#), [748](#), [749](#)
- Boucour, Mr., [481](#)
- Boufflers, Mareschal, [614](#); his defence of Namur, [614](#), [615](#); his negotiation with Lord Portland concerning King James, [642](#); commands in Flanders, [712](#), [713](#), and note; his conduct in 1703 censured, [728](#), [729](#); his defence of Lille, [830](#), [831](#); his retreat after the battle of Mons, [843](#)
- Bourdaloue, Father, his character, [368](#), [369](#)
- Bowles, Sir John, [683](#)
- Box, refuses to be Sheriff, [347](#)
- Boyle, Earl of Cork, [209](#); his account how the Spanish Armada was delayed, [209](#), [210](#)
- Boyle, Mr. Robert, of the Royal Society, [132](#), and note
- Boyle, Mr., Secretary of State, [822](#) and note; is dismissed, [856](#)
- Boyne, the battle of, [553](#), [554](#)
- Bredalbane, Earl of, sends 1700 Highlanders into the west of Scotland to live on free quarter, [277](#); his conduct in the affair of Glencoe, [576](#), [617](#)
- Braddon, fined for talking of Lord Essex's murder, [371](#)
- Bradshaw, the regicide, [28](#)
- Brandenburgh, Elector of, [7](#), [221](#), [227](#), [244](#); his death and character, [474](#), [475](#)
- Brandenburgh, Elector of, takes Keiserwaert and Bonn, [541](#); joins the Dutch in Flanders, [615](#), [640](#), [660](#), [667](#); is King of Prussia. See PRUSSIA.
- Brandon, Lord, [415](#)
- Brayer, Father, [368](#)
- Brereton, Lord, chairman of the committee at Brook-House, [181](#)
- Brett, Dr., [887](#), and note
- Bridgman, Lord Keeper, [153](#), [170](#), [171](#), and note; for a comprehension, [175](#); and union with Scotland, [189](#); refuses to seal a declaration for toleration, and is dismissed, [206](#)
- Brihuega, the loss there, [858](#)
- Bristol, Earl of, his character, [69](#), and note; consults with the Papists for a general toleration, [133](#), [134](#); a prediction of his, [135](#); he attacks the Earl of Clarendon, [135](#), and note, [326](#), [396](#)
- Broderick, Sir Allen, [49](#), [133](#)
- Broghill, Lord, his scheme for uniting the families of Stuart and Cromwell, [47](#) \*
- Bromley, Mr., stands for Speaker, and loses it, [781](#), and note; is chosen Speaker in 1710, [859](#), and note
- Brounker, Lord, of the Royal Society, [131](#)
- Brounker, [148](#), and note
- Brown, Lady, [263](#)
- Bruce, his secret management for King James I., [3](#)
- Bruce, Bishop of Dunkeld, turned out for speaking against the repeal of the penal laws, [433](#)
- Bruce, a puritan, [9](#)
- Bruce, Sir Alexander, [711](#)
- Brunswick, [667](#). See HANOVER.
- Brussels bombarded, [615](#)
- Brydges, Mr. John, [865](#); afterwards Lord Chandos, *ib.* and note
- Buckingham, Duke of, [8](#), and note, [10](#), [11](#), [29](#); letter of his to King James, [9](#) \*; courts the Anti-episcopalians, [10](#) \*
- Buckingham, Duke of, in favour with King Charles II., [33](#); his character, [33](#) and note, [69](#); promotes Wilkins to the see of Chester, [172](#), presses the King to own a marriage with Monmouth's mother, [176](#); proposes to steal away the Queen, [178](#); brings Davies and Gwyn to the King, *ib.*; his friends, [180](#); moves for dissolving the Parliament, [188](#); is for an union with Scotland, [189](#); and an alliance with France, [201](#), [203](#), [216](#), [218](#); hinders Ossory's design on Helvoetsluis, [222](#); sends over a French mistress to the King, [224](#), [228](#), [229](#); offers to take out of both Houses those that opposed the King's declaration, [230](#), [238](#); is attacked by the Commons, [242](#); loses the King's favour, *ib.*; opposes the Test Act, [256](#), [258](#); questions the legality of prerogations, [267](#); sent to the Tower, [268](#) and note
- Buckingham, (Sheffield) Duke of, (see NORMANNY), [706](#); is made Privy Seal to Queen Anne, [706](#), [819](#); and Lord Steward of the Household, [856](#), [861](#)
- Bull, Dr., made Bishop of St. David's, [767](#), and note
- Burgundy, Duke of, [629](#); marries the Duke of Savoy's daughter, *ib.* [673](#); heads the French army in Flanders, [712](#); takes Brisack, [729](#); commands in Flanders in 1708, [826](#), [829](#); quarrels with the Duke of Vendome, [842](#); is Dauphin by his father's death, [866](#). See DAUPHIN.
- Burnet, made Archbishop of Glasgow, [143](#); his character, *ib.*; severe to prisoners, [159](#), [160](#); proposes a special council at Glasgow, [162](#), [164](#), [166](#), [188](#); against the indulgence, [190](#); resigns his Archbishoprick, [193](#); is restored to it, [248](#); his death, [382](#)
- Burnet, Gilbert (the author) lays some grievances of the clergy before the bishops, [147](#); his treatises on divorce and polygamy, [177](#) \*; gets some moderate Presbyterians into the vacant churches, [189](#); chosen divinity-professor at Glasgow, [193](#); is at a conference with the Presbyterians, [198](#), [199](#);
- writes Memoirs of the two Dukes of Hamilton, [199](#); reconciles the Dukes of Hamilton and Lauderdale, [200](#); proposes a further indulgence, *ib.*; refuses a bishopric, *ib.*; refuses it with the promise of the first vacant archbishoprick, [225](#); obtains a farther indulgence, [226](#); his remonstrances to Duke Lauderdale, [236](#); has many marks of the king's favour, *ib.*; attacks the Duke of York about his religion, [237](#); introduces Dr. Stillingfleet to him, [237](#), [238](#), [239](#); the Duke's private discourse, [239](#); Lauderdale persecutes him, [240](#); he is disgraced at court, [247](#), [248](#); examined by the House of Commons, [252](#); is made Chaplain at the Rolls, [253](#); his conference with Coleman, [264](#); undertakes to write the History of the Reformation, *ib.* and note; what passed between him and Tonge and Oates, [284](#); his opinion of the witnesses, [287](#); his private interviews with the King, [288](#), [290](#), [291](#); his thoughts on the exclusion, [305](#); his expedient of a Prince Regent, [327](#); he lives retired, [329](#); his letter to the King about his course of life, [333](#), [334](#), and note; his reception afterwards, [335](#); his good offices to the Earl of Argyle, [342](#), [343](#); examined in Council concerning Lord Russel's speech, [365](#), [366](#); goes over to France, [367](#), and note; his character of some eminent men there, [367](#), [368](#), [369](#); deposes against Lord Howard's credit, [372](#); turned out of all his preferments, [386](#); goes out of England, [404](#); resides at Paris, [419](#); his account of the persecution in France, [420](#), [421](#), [422](#); well received at Rome, [422](#); Cardinal Howard's freedom with him, [423](#); the cruelty he saw in Orange, [424](#); his observation on the reformed churches, [437](#); is invited by the Prince and Princess of Orange, [438](#); discovers a conspiracy against the Prince, *ib.*; his character of the Prince and Princess, [438](#), [439](#); much employed and trusted by them, [439](#), [440](#); puts the Princess on declaring what share the Prince may expect in the government, [440](#); forbid their Court in appearance at King James's instance, [450](#); is more trusted; *ib.*; draws Dyckvelt's private instructions when sent Ambassador to England, *ib.*; is prosecuted in Scotland for high treason, [460](#); naturalized at the Hague, *ib.* Albeville demands him to be delivered up or banished, [461](#), [462](#); the States answer, [462](#); other designs on his life, [463](#); acquaints the house of Hanover with the



Prince of Orange's design, and intimates the probability of an entail on that family, [481](#); goes with the Prince of Orange as his Chaplain, [492](#); what passed between the Prince and him at landing, [500](#); draws up an association at Exeter, [502](#); his conference with the Marquis of Halifax concerning King James, [503](#), [506](#); protects the Papists and Jacobites at London from insults, [508](#); opposes Bentinck in behalf of the Princess of Orange, [517](#); declares her sentiments, [519](#); is made Bishop of Salisbury, [529](#); opposes the imposing the oaths on the clergy, [530](#); for the toleration, *ib.*; for leaving the comprehension to the Convocation, [531](#); by King William's order moves the naming the Duchess of Hanover in the succession, [533](#); enters into a correspondence with her, [534](#); endeavours to preserve episcopacy in Scotland, [538](#), [539](#); Lord Melville excludes him from meddling in Scotch affairs, [539](#); his share in the scheme for a comprehension, [542](#), [543](#); King William's free discourse to him about the civil list, [544](#); Montgomery's plot discovered to him, [546](#); his reply to King William when the civil list was granted for only five years, [549](#); dissuades the Duke of Shrewsbury from resigning, [551](#); King William's discourse to him before he went to Ireland, *ib.*; he is reflected upon by both parties, [556](#); is for erecting the Bank of England, [599](#); his friendship with Archbishop Tillotson, [605](#); attends Queen Mary in her last sickness, [606](#), [607](#); speaks for the bill of attainder against Sir John Fenwick, [637](#); does him private services, *ib.*; is made Preceptor to the Duke of Gloucester against his will, [648](#); his character of the Czar of Muscovy and conversation with him, [655](#); he publishes an Exposition of the thirty-nine articles, [658](#); a motion to remove him from the Duke of Gloucester rejected in the House of Commons by a great majority, [663](#); his conduct in that Prince's education, [668](#), [669](#); the lower House of Convocation censure his Exposition, [691](#); but refuse to point out their objections, *ib.*; he attends King William in his last sickness, [701](#); his character of that Prince, [702](#), [703](#); he opposes a clause in the bill for Prince George of Denmark, [722](#); his zeal against the occasional bill, [721](#), [741](#); his scheme for augmenting the poor livings in England takes effect, [745](#), [746](#); he argues for the union, [802](#); his

reflections on it, [804](#), [805](#); he proposes that forfeitures in treason shall not affect the posterity, [837](#); argues against Sacheverel, [851](#); speaks freely to the Queen, [853](#); reasons for continuing his history beyond its first intended period, [853](#), [854](#); his justification of the old Ministry, [869](#); he speaks freely to the Queen against the peace, [874](#); his sentiments as to censuring Whiston's tenets in Convocation, [887](#); a speech prepared by him in case the Ministry had moved for an approbation of the peace, [899](#), [900](#), [901](#), [902](#), [903](#)

Burton, [175](#), [393](#)

Buys, plenipotentiary at Gertruydenberg, [855](#), [889](#)

Byng, Sir George, sent after Fourbin to Scotland, [824](#), [825](#); prevents the Pretender's landing there, chases the French fleet, and takes their Vice-admiral, [825](#)

### C.

Cabriz, the expedition thither, [716](#), [717](#)

Calamy, Edmund, refuses a bishopric, [126](#), [307](#)

Caleburgh, Admiral, saves the Dutch fleet near Beachy by a stratagem, [555](#)

Calonitz, Cardinal, [729](#)

Callieres, [630](#)

Camaret, a design upon it miscarries, [602](#)

Cambray, Archbishop of, [651](#), [657](#)

Campbell, father and son imprisoned, [408](#)

Canada, an expedition thither unsuccessful, [871](#)

Cant, [21](#)

Capel, Sir Henry, [317](#); votes for the exclusion, [319](#)

Capel, Lord, sent one of the Lords Justices to Ireland, [596](#); is made Lord Lieutenant, [618](#); his dispute with Porter the Lord Chancellor there, [619](#)

Caprara, [574](#)

Caraffa, [574](#)

Cardenas, Don Alonso de, endeavours to engage Cromwell in the Spanish interest, [47](#)

Cargill, executed, [338](#); obstinacy of his followers, *ib.*

Carlisle, Earl of, [42](#), [247](#), [627](#), [708](#)

Carlton, Sir Dudley, his advice to King James I. to beware of Priests, [5](#)

Carmarthen, Marquis of, (*see* DAWNEY) made president of the council, [526](#); sets the whigs upon attacking the Marquis of Halifax, [527](#); is himself attacked, [564](#); discovers a negotiation with king James, *ib.*; is attacked for a present said to have been made him by the East India Company, [611](#); impeached

for it, [612](#); he is made Duke of Leeds, [616](#). *See* LEEDS

Carmarthen, Marquis of, his son, commands a squadron, [616](#)

Caron, [133](#)

Carril, a divine, with Richard Cromwell, [54](#)

Carstairs, his letters taken, [225](#); a persecutor of conventicles, [266](#), [267](#); his practices against Lauderdale and Staley, [287](#), [291](#); dies in horror, [291](#)

Carstairs, Mr. William, tortured, [379](#), and note

Cartwright, made bishop of Chester, [442](#)

Casal surrendered to be demolished, [616](#)

Cassilis, Earl of, [12](#); sent to the Hague to treat with king Charles II., [33](#); desires to explain the oath of supremacy, [95](#); quits his employments, *ib.*; moves in parliament against the King's marrying a papist, [118](#), [153](#)

Cassilis, Earl of, his son, against the act to punish conventicles, [196](#)

Castile, Almirante of, [775](#)

Catalonia, a rising there, [775](#)

Catinat, Mareschal, [190](#), [692](#), [712](#)

Cavendish, Lord, [232](#); his character, [259](#) and note; desists from going to council, [317](#); offers to manage Lord Russell's escape, [364](#). *See* DEVONSHIRE

Cecil, Secretary, his private correspondence with king James, [3](#)

Cellier, Mrs., gets Dangerfield out of prison, [515](#)

Century XVIII. how opened, [673](#), [674](#), [675](#)

Cevennes, the insurrection there, [716](#), [733](#); is quieted at last, [759](#)

Chaise, Father la, his character, [369](#)

Chamberlain, Dr., [478](#)

Chamillard, [829](#); he is dismissed, [842](#)

Charity Schools, there rise here, [651](#), [709](#)

Charles of Gratz, a patron of the Jesuits, [6](#)

Charles Lewis, Elector Palatine, his motives of choosing a religion, [6](#)

Charles V., Emperor, subdues the Smalcaldick league, [208](#)

Charles VI., (*see* CHARLES III. King of Spain) chosen Emperor, and crowned at Frankfort, [870](#), [874](#); sends Prince Eugene to England, [879](#); resolves to carry on the war with France, [891](#), [893](#), [894](#); will not come into the treaty of Utrecht, [896](#)

Charles II., King of Spain, [598](#); hearty against France, *ibid.*; is attacked in Catalonia, and relieved by the English fleet, [601](#), [602](#); his sickness, [629](#), [645](#), [648](#), [656](#); a treaty for the partition of his succession, [656](#); his death, and pretended will, [672](#); the Duke of Anjou declared his successor, *ib.* Charles III., King of Spain, owned



by England, [730](#); comes over hither, [731](#), [732](#); goes to Lisbon, [732](#); thence to Catalonia, [775](#); is for besieging Barcelona, *ib.*; his letters to Queen Anne and Lord Godolphin, [777](#); Valentia and Catalonia declare for him, [790](#); stays at Barcelona when besieged by the French, [790](#), [792](#); delays going to Madrid, [793](#); Arragon declares for him, *ib.*; and Carthage, [794](#); takes Alicant, *ib.*; Earl Rivers sent with forces to him, [796](#); his affairs take an unhappy turn, [808](#), [809](#), [811](#); seven thousand Imperialists sent him from Italy, [811](#); he marries the Princess of Wolfenbuttle, [811](#), [812](#); complains of the Earl of Peterborough, [820](#); his conduct in Spain censured, *ib.*; supplies sent from Italy to Spain by Sir John Leak, [826](#); the campaign in 1709, [842](#); the battle of Almaraz, [857](#); he goes to Madrid, [858](#); the battle of Villa Viciosa, *ib.*; he is neglected by his Allies, and his affairs go amiss, *ib.*; he succeeds to the Austrian dominions, [866](#); quiets the troubles in Hungary, *ib.*, leaves his Queen in Spain, and goes to Italy, [870](#); thence into Germany, *ib.*; is chosen Emperor, *ib.* See CHARLES VI. Emperor.

Charles I. of England, at first a friend to Puritans, [10](#); dislikes his father's familiar behaviour, *ib.*; crowned in Scotland, [11](#); erects a new bishoprick at Edinburgh, [12](#); feebleness of the government, [15](#); complaints of Popery, *ibid.*; ill state of the King's affairs, [17](#); good advice given, but not followed, [23](#), [24](#), and note; his slowness ruins the treaty in the Isle of Wight, [27](#); his character, [28](#), [29](#); his conduct towards the Queen, [29](#), and note; the secret of the design of erecting the Netherlands into a republic ill kept by him, [30](#); who were chiefly concerned in his death, [28](#); his death turned the nation, [30](#); his statue at Charing Cross, [248](#), and note.

Charles II., his son, proclaimed King by the Scots, [32](#); they send commissioners to him at the Hague, [35](#); he goes to Scotland, and is ill used, [35](#), [37](#); his declaration condemning himself and his father, [37](#); attempts to escape, but prevented, *ib.*; is crowned and takes the covenant, [38](#); comes into England, and is pursued by Cromwell, *ib.*; a body in the Highlands stand firm, [38](#), [39](#); their little army routed, [40](#); the king and his brother dismissed from France, [48](#); he changes his religion there, *ib.*; goes to the congress at the Pyrenees, [56](#); matters in England tending to his

restoration, he goes to Breda, [56](#); he is called home without terms, [58](#), [59](#); the nation runs into vice, [60](#); the King's character, [61](#), and note; the state of his court, [61](#), [62](#), [63](#), [64](#), [65](#), [66](#), [67](#), [68](#), [69](#); the chief of the Scots, [70](#), [71](#), [72](#); a general pardon in Scotland advised, [73](#); and to demolish Cromwell's forts, *ib.*; and for settling the church, [74](#); the King confirms Presbytery, [75](#); a council for Scotch affairs at Whitehall, [76](#); the committee of estates meet, [77](#); a parliament called, *ib.*; the king disapproves of the recissory act, [80](#); is indifferent as to restoring episcopacy, [87](#); angry at the Incapacitating act, [100](#); gives himself up to pleasure, [108](#); account of his mistresses and illegitimate children, [109](#)\*, [110](#)\*, [111](#)\*; maintains the indemnity, [111](#); his marriage, [112](#); sells Dunkirk, [117](#); the ceremony of his marriage, [118](#); Ireland settled, [119](#); his declaration for toleration, [133](#); discontinues the ecclesiastical commission in Scotland, [145](#); augments the forces there, *ib.*; resolves on the Dutch war, [147](#); the victory over them not followed, [148](#); the English fleet saved by Prince Rupert, [154](#); a rebellion in the West of Scotland, [158](#); is defeated, and the prisoners severely used, [159](#), [160](#), [161](#); the Scotch council changed and moderation shown, [161](#); the Scotch army disbanded, [163](#); the King tries to regain the affections of his people, [167](#); rides through the city while the Dutch were in the river, [168](#); grows weary of Lord Clarendon, [169](#); seems to favour a comprehension, [171](#); enters into the triple alliance, *ib.*; offended at many of the Bishops, [175](#); will not own a marriage with the Duke of Monmouth's mother, [176](#); sets on Lord Roos's divorce, [177](#); will not send the Queen away by surprise, [178](#); goes to the House of Lords and solicits votes, [184](#); orders an indulgence in Scotland, [189](#); dislikes the act against conventicles, [196](#); shuts up the Exchequer, [204](#); suspends the penal laws by his declaration, [205](#), [206](#); an attempt on the Dutch Smyrna fleet, [205](#); complains to Sheldon of the sermons against Popery, [207](#); creates his mistress Duchess of Portsmouth, [224](#); jealousies of him, [228](#); divisions at court, [229](#); and in council, [230](#), [231](#); cancels his own declaration suspending the penal laws, [232](#); sends Plenipotentiaries to Cologne, [234](#); calls a parliament in Scotland, [240](#); mediates a peace between France and Holland, [244](#); he

prorogues the Parliament in England, [245](#); and in Scotland, *ib.*; deals roughly with the Scotch lawyers in appeals, [246](#); marries his niece, Lady Mary, to the Prince of Orange, [272](#); his easiness in signing papers, [277](#); refuses to see the Scotch Lords who come up with complaints of Lauderdale, [278](#); suffers the Duke of Monmouth to intercede for them, *ib.*; his going to Newmarket when the Popish plot broke out is censured, [283](#); refuses his assent to the militia act, [290](#); his sense of the Plot, *ib.*; his message to the Commons against Mountague, [291](#); the Parliament prorogued, [294](#); a reward offered for farther discoveries of the Plot, [298](#); a new parliament called, [300](#); he refuses Seymour for Speaker, *ib.*; disowns his marriage with the Duke of Monmouth's mother, *ib.*; changes his council, [302](#); debates in council about dissolving the Parliament, [311](#); sends Monmouth to suppress the rebellion in Scotland, [312](#); when ill, sends for the Duke of York, [315](#); jealousies of him, [315](#), [316](#); sends the Duke of York to Scotland, [318](#); asks a supply for Tangier, [320](#); summons a parliament at Oxford, [327](#); likes the scheme of a Prince Regent in lieu of the exclusion, *ib.*; by his declaration complains of the three last parliaments, [329](#); charters of corporations surrendered to, [346](#); changes in the ministry and divisions, [348](#), [349](#); the Rye-house plot, [356](#); a proclamation thereupon, [357](#); his concern for the Duke of Monmouth, [358](#); sends to the Common Council of London to deliver up their charter, [370](#); calling a parliament proposed, but rejected, *ib.*; he pardons the Duke of Monmouth, [373](#); forbids him the court, [374](#); a passage between him and the Prince of Orange, *ib.*; he determines that husbands in Scotland shall be fined for their wives going to conventicles, [377](#); abandons Tangier, [384](#); a strange practice in a trial of blood, [388](#); and in the marriage of the Earl of Clancarty's son, [388](#), [389](#); employs Papists in Ireland, and tries to model the army there, [389](#); suspicions of his declaring himself a Papist, [390](#); a new scheme of government concerted at Lady Portsmouth's, *ib.*; the King's fondness of her, [391](#); his sickness, *ib.*; takes the sacrament in the Popish way, [392](#); his death, [393](#); a remarkable story relating to it, [393](#), [394](#), and note; his character, [394](#)—[397](#), and note; attempt to resume his grants, [654](#), [865](#)



Charlton, [402](#)

Charnock is sent over to King James, [512](#); engages in the Assassination-plot, [622, 625](#); is executed, and does not acquit King James of it, [625, 626](#)

Charter of London, arguments in the King's Bench concerning its forfeiture, [350](#); the judgment given, [351](#)

Charteris, Mr., his character, [146, 166, 192, 196](#); refuses a bishoprick, [200, 342](#); attends on the Earl of Argyle at his execution, [406](#)

Child, Sir Josiah, his death and character, [657](#), and note

Chimney Money discharged in England at the revolution, [532](#), and note; is established in Scotland soon after, [562](#)

Cholmley, Sir Henry, moves the abolition of the court of wards, [8\\*](#)

Church, the, a party watch-word, [279, 849](#)

Churchill, Lord, sent Ambassador to France, [401](#); his character, [486](#), and note; goes to the Prince of Orange at Axminster, [501](#). See MARLBOROUGH, Earl of

Churchill, Lady, her character, [486](#); accompanies the Princess of Denmark to Northampton, [501](#). See MARLBOROUGH, Countess of

Civil List granted but for a year, [532, 546](#); for five years, for life, [647](#); a debt upon it paid by a mortgage of part of the revenue, [901](#)

Claget, Dr., [307](#)

Clancarty, Countess of, recommends her son's education to Dr. Fell, [388](#); he is taken from thence, [389](#)

Clarendon, Earl of, for rejecting Lord Antrim's petition, [25](#); his character, [62](#), and note; disgusts the Cavaliers, [66](#); persuades the King to observe the indemnity, [72](#); is for keeping garrisons in the Scotch forts, [74](#); proposes a Scotch council at Whitehall, [76](#); prevents an attack on Duke Lauderdale, [82](#); zealous for restoring episcopacy in Scotland, [88, 98, 99](#); against the incapacitating act, [100](#); tries to support Middleton, *ib.*; his moderation, [104](#); his good advice in disbanding the old army, [105](#); and in maintaining the indemnity, [112](#); refuses a present of [10,000\*l.\*](#), [113](#); visits none of the King's mistresses, [119](#); makes good judges, *ib.*; advises the declaration as to ecclesiastical affairs, [121, 122, 126, 127, 131](#); tries to divide the the Papists, [134, 134, 135](#) not consulted as to the Dutch war, [137](#); disgraced, [169, 170](#), and note; his integrity, [171](#); impeached by the Commons, [172](#); goes beyond sea at the King's de-

sire, [172](#); banished by act of parliament, [173](#), and note

Clarendon, Earl of, his son, his character, [173](#); the Commons address against him as favouring Papists, [320, 333](#); made Lieutenant of Ireland, [419, 434](#); recalled, [434](#); reflects on King James, and joins the Prince of Orange, [503](#), and note; sent to treat with the Lords sent by King James, [504](#); reconciles himself to the Jacobites, [511](#); for a Prince Regent, [513](#); he opposes the government, [541](#); corresponds with King James, [564](#); is pardoned, but confined to his house in the country, [565](#)

Clarendon, Countess of, [156, 477, 478](#)

Clarges, his character, [55, 67](#), and note

Claypole, married Cromwell's daughter, [54](#)

Clayton, [328](#)

Clement, Prince, chosen coadjutor to Cologne, [482, 489, 490](#)

Clergy, English, a great heat against them, [307](#); their controversy with the church of Rome, [429](#); by whom managed, [430](#); invite the Prince of Orange to defend them, [446](#); welcome him here, *ib.*; an ill humour spreads amongst them at the revolution, [331](#); they take the oaths with too many reservations, [541](#); instrumental to corrupt the people, *ib.*; act contrary to their oaths, [584](#); oppose Archbishop Tillotson, [595](#); divisions among them, [651, 669, 670](#); irreconcilable to Dissenters, *ib.*; raise a cry of the Church in danger, [709, 741, 745, 751, 785](#); their ill humour increases, [840](#); they espouse the cause of Sacheverel, [848](#); many incline to Popery, [887, 888](#)

Clergy, Scotch, pleased with Dalziel's cruelty in the West, [161](#); their behaviour blamed, [166](#); are ill used by the Presbyterians, *ib.*; move for a national Synod, [246](#); insulted by the Presbyterians at the revolution, [510](#); are in the interests of King James, [538](#); which occasions the abolishing episcopacy in Scotland, [618](#)

Cleveland, Duchess of, [62, 109\\*, 178](#)

Clifford, his character, [152](#), and note, [169, 180](#); made Lord Treasurer, [307](#); one of the Cabal, *ib.*, [228](#); his zeal for Popery, *ib.*, [229](#); in the House of Lords and Cabinet Council, [230](#), and note, [231\\*](#); is disgraced, [231, 236, 326](#)

Cochran, [358, 404, 406, 407](#)

Cohorn, a great engineer, [615, 712, 728](#)

Coin, its ill state, [608](#); consultations to prevent clipping, [612](#); Lord Somers's expedient, *ib.*; the coin

rectified, [520](#); cost the nation two millions, [628](#)

Colchester, Lord, [501](#)

Coleman, his character, [245](#); intrigues, [262, 263](#); conference with Dr. Burnet and others, [264](#); accused by Oates, [283](#); his letters confirm the Popish plot, [283, 285](#); his trial, [289](#); and execution, [290](#)

Colledge, his trial and condemnation, [332](#), and note

Cologne, Elector of, puts his country into the hands of the French, [214](#); his death and character, [481](#); the state of Cologne at his death, [482](#); his successor's conduct, [694, 894](#)

Colt, Sir William, [581](#)

Colvil, [103](#), and note

Committee of council sent round the West of Scotland, [193](#)

Comprehension attempted at the restoration without success, [125](#); attempted in vain at the revolution, [542, 543](#); happy it did not succeed, [543, 544](#)

Compton, Dr., made Bishop of London, [261, 262](#), and note; attends King Charles in his last sickness, [392](#); is against repealing the test, [425](#); refuses to suspend Dr. Sharp, [430](#); brought before the ecclesiastical commission, [431](#); suspended by them, *ib.*; meets at the Lord Shrewsbury's, [452](#); for the Prince of Orange, [485](#); conveys the Princess of Denmark to Northampton, [501](#); gives in a list of Tories for the lieutenancy of London, [548, 691, 692](#), and note; his death, [902](#)

Con, [291](#)

Conde, Prince of, makes the Spaniards court Cromwell, [47](#); his character of the French King and Ministry, [221, 222](#); admires the Prince of Orange, [250, 270](#); his character, [368](#)

"Conduct of the Allies," a noted pamphlet, [873](#)

Coniers, [281, 283](#)

Conspirators meet at West's chambers, [355](#); rendezvous on Turnham Green, [623](#); some escape, the rest are seized, [624](#)

Conti, Prince of, [270, 639](#); a candidate for the crown of Poland, [640](#); his descent there, *ib.*

Convention of estates turned into a parliament, [58, 122, 528](#)

Convocation alter the Common Prayer, [125, 126](#); give the King four subsidies, [135](#); reject the scheme for a comprehension, [544](#); prorogued for ten years, [544, 650, 670](#); meet in 1700, [688, 689, 690](#); their proceedings, [690](#); disputes between the two Houses, [691](#); the lower House censures books, [691, 692](#); dissolved by King William's death, [708, 726](#) the two Houses renew their dis-



putes, [726](#), [727](#); the Ministry interpose in vain, [727](#); the lower House vote episcopacy of divine right, *ib.*; meet in 1704, [751](#); and in 1705, [771](#); farther disputes between the two Houses, [789](#); the Queen's letter to them, *ib.*; are prorogued, [790](#); insist that they cannot be prorogued, sitting the parliament, [805](#), [806](#), [807](#); the Prolocutor's contumacy and submission, [807](#); prorogued; [839](#); meet in 1710, [866](#); their licence excepted against, [867](#); a new licence, *ib.*; the representation of the lower House, *ib.*; another of the upper House, *ib.*; the opinion of the Judges as to their jurisdiction, [868](#); the upper House censures Whiston's doctrine, *ib.*; lower House concurs, *ib.*; carried to the Queen, *ib.*; their proceedings in 1712, [886](#), [887](#); their censure on Whiston not confirmed by the Queen, [888](#), [886](#); the Bishops condemn the re-baptizing Dissenters, [888](#); the lower House do not concur in this, *ib.*

Cook, Sir William, [4](#)

Cook, the regicide, [28](#)

Cook, a Presbyterian minister, [196](#)

Cook's opinion of treason in Lord Russel's case, [361](#)

Cook sent to the Tower, [426](#)

Cook, Sir Thomas, Governor of the India Company, [611](#); examined as to [170,000\*l.\*](#) said to be given for secret service, *ib.*; sent to the Tower, *ib.*

Cook, tried for being in the plot of invasion in 1696, [627](#); condemned and banished, *ib.*

Copenhagen besieged, [667](#); a plague there, [872](#)

Cornbury, [170](#); his character, [174](#), and note; his regiment joins the Prince of Orange, [501](#), and note

Cornish, chosen Sheriff, his character, [318](#), [320](#); executed, [417](#)

Corruption, how universal, [669](#)

Cosens, Bishop, [177](#), and note

Cotton, Sir John, [264](#), [798](#)

Covenanters, their leader's characters, [16](#); disputes among them, [40](#), [41](#), [42](#)

Coventry, Mr. Henry, [204](#), [247](#) and note, [274](#)

Coventry, Sir William, the Duke of York's Secretary, [115](#); his character, [180](#), and note; made Secretary of State, [204](#), [247](#), [258](#), [273](#); against a land army, an odd expression of his, [274](#); another explained, [293](#)

Coventry, Sir John, reflects on the King's amours, [183](#), and note; has his nose slit, *ib.*; those who did it banished, [184](#)

Court of Session in Scotland, [246](#) \*

Cowper, Mr., made Lord Keeper, [779](#), and note; refuses the usual New Year's gifts, [788](#); is made a

Peer and Lord Chancellor, [801](#); resigns the seals, [856](#)

Craig, Dr., [8](#)

Cranbourn, executed for the Assassination plot, [627](#)

Crawford, Earl of, [24](#); his character, [70](#)—[75](#); opposes the recis-sory act, [80](#); declares against episcopacy, [88](#), [96](#), [99](#); at the head of the Presbyterians, [541](#)

Credit, public, very great, [787](#); sinks upon the change of the ministry, [857](#)

Crow, Dr. Nathaniel, Bishop of Duresme, [431](#), and note

Croft, Dr. Herbert, made Dean of the Chapel, [174](#); his character, *ib.* \*

Cromarty, Earl of, [762](#), [853](#); see TARBET

Cromwell, Oliver, argues with the Scotch for the king's death, [25](#); enters Scotland, [27](#); dissembles when charged with putting force upon the parliament, [27](#), [28](#); in suspense as to the king's death, [28](#); marches into Scotland, [35](#); defeats the Scots at Dunbar, *ib.*; his letter on that occasion, [36](#) \*; Edinburgh capitulates, [36](#); he displaces the Governor of Aberdeen, [38](#); builds three forts in Scotland, [40](#); deputies sent to him from the general assembly, [42](#); his maxims, *ib.*; his arts in gaining parties, [43](#), [44](#); debates for making him king, [45](#); he refuses the crown, *ib.*, and note; seizes money from the Spaniards, [47](#); inquires into the state of the protestants in France, [48](#); espouses the French interest in opposition to Spain, *ib.*; his designs in the West Indies, [49](#); his zeal for the protestants abroad, [50](#), [51](#); some curious passages in his life, [51](#), [52](#); his public spirit, [52](#); the whole world stood in awe of him, [53](#); his death, [54](#)

Cromwell, Richard, his son, declared protector, [54](#); resigns, *ib.*

Crook, Sir Geo., [253](#), and note

Cudworth, Dr., his character, [127](#) and note, [307](#)

Culpepper, Lord, [506](#), [518](#)

Cumberland, Dr., made Bishop of Peterborough, [569](#), and note

Cunningham, Sir John, [161](#), [312](#)

Cutts, Lord, [624](#)

Czar, see MUSCOW

## D.

DADA, Nuncio to King James, [448](#)

Dalrymple, President of the session in Scotland, [245](#) and note, [340](#); much trusted by King William, [538](#); made Lord Stair, [540](#)

Dalrymple, Sir John, his son, a commissioner to tender the crown to King William and Queen

Mary, [538](#); made conjunct secretary of state with Lord Melvil, [567](#); is dismissed, [577](#), [617](#), [708](#), [801](#), and note. See STRAIN

Dalziel, General, [145](#); defeats the rebels at Pentland Hill, [159](#); his cruelties in the west of Scotland, [160](#), [161](#), and note

Danby, Earl of, patron of the church party, [248](#), and note; is attacked in the House of Commons, [254](#); his discourse with Mons. Courtin, [261](#), [262](#), [268](#); tries to bring the king off from the French interest, [271](#); proposes the Lady Mary's marriage with the Prince of Orange, *ib.*; supports Lauderdale, [279](#); gets the king to ask an additional revenue of [300,000\*l.\*](#) for life, *ib.*; is universally hated, *ib.*, [280](#), [281](#), [291](#); his letters to Montague concerning a pension to King Charles from France, [291](#); impeached, [292](#); the Lords will not commit him, *ib.*; treats with the country party for a new parliament, [294](#); quits the treasury, [300](#); prevails on the king to send away the Duke of York, *ib.*; is prosecuted by the Commons notwithstanding the king's pardon, [301](#); a bill of attainder against him, [302](#), [303](#); is sent to the Tower, [306](#); is bailed with the Popish Lords, [383](#); joins for inviting over the Prince of Orange, [452](#), [485](#), [487](#), [501](#), [517](#), [518](#); made Marquis of Carmarthen, [526](#). See CARMARTHEN

Dangerfield, his meal-tub plot, [315](#), [316](#); convicted of perjury and whipped, [408](#); his death, *ib.* and note

Dantzick, a plague there, [844](#)

Darien, the Scots settle there, [651](#); pursue it at a vast expense, [652](#); driven away by the Spaniards, [661](#), [662](#); voted in parliament a national affair, [662](#); great disorders on it, *ib.*; it is a great inducement to the union, [804](#)

Dartmouth, Lord, sent to demolish Tangier, [385](#); commands the fleet against the Prince of Orange, [487](#); is forced into Portsmouth, [500](#)

Dartmouth, Lord, made Secretary of State, [856](#)

D'Avaux, [465](#), [487](#)

Dauphin of France, commands in Germany in 1693, [590](#); in Flanders in 1694, [601](#), [661](#); for accepting the King of Spain's will, [672](#); for owning the Pretender King of England, [696](#); his death, [866](#)

Dauphin, his son, [885](#); his death and character, *ib.* See BURGUNDY

Dauphiny, campaigns there, [583](#), [590](#), [616](#), [842](#)



- Davis, Mrs., one of King Charles the Second's mistresses, [111](#) \*
- Daws, Sir William, made Bishop of Chester, [816](#), [817](#), and note
- D'Este, Mary, married to the Duke of York, [234](#), and note
- De Guiche, Count, his intrigues, [202](#)
- De Groot, [204](#)
- Delamere, Lord, tried and acquitted, [426](#); raises a regiment for the Prince of Orange, [501](#), [507](#); made Earl of Warrington, [527](#), and note. See [WARRINGTON](#)
- Delaval, in the admiralty, [579](#), [585](#)
- Denbigh, Earl of, [17](#)
- Denmark, King of, [203](#); his death, [659](#)
- Denmark, King of, his son, his alliance against Sweden, [659](#); makes peace by King William's mediation, [667](#), [668](#); his troops join the confederates at Ramillies, [794](#); goes to Italy, [845](#); attacks the Swedes, and is defeated in Schonow, [845](#), [846](#); besieges Stralsund and Wismar without success, [872](#); the Danes are beat by Steinbock, [893](#)
- Denmark, George Prince of, he marries the Princess Anne, [366](#), [476](#), [486](#), [501](#); a settlement on him of [100,000\*l.\*](#) a-year if he survive the Queen, [722](#); he is made lord high admiral, with a council, and generalissimo of all the forces, [706](#), [732](#); he sends a fleet into the Mediterranean, [734](#); jealous of having too little power, [816](#); answers the complaints of the Admiralty, [819](#); his death and character, [833](#), and note
- Denmark, Anne, Princess of, sent to Bath, [477](#), [486](#); retires to Northampton at the revolution, [502](#), [518](#), [519](#); her revenue settled by parliament, [578](#); creates a misunderstanding with king and queen, *ib.*; made up at the death of Queen Mary, [613](#); her son's education, [648](#); her behaviour at his death, [669](#); she succeeds to the crown, [704](#). See [QUEEN ANNE](#)
- Derby, Earl of, [856](#)
- De Ruyter, surprises our fleet at Solbay, [215](#)
- Desborough, [45](#)
- D'Estrees, Cardinal, [423](#)
- D'Estrees, Marechal, [579](#)
- Des Vardes, his disgrace, [202](#)
- Devonshire, Earl of, (see [CAVENISH](#)), is at Lord Shrewsbury's [486](#); joins in inviting the Prince of Orange, [486](#), [487](#), [501](#); made lord steward of the household, [528](#); is a duke, [627](#), [708](#), [730](#), [817](#); is turned out, [856](#); moves for a bill of precedence for the Duke of Cambridge, [877](#), [879](#)
- De Witt, John, his character, [148](#), [149](#); Amsterdam weary of him, [150](#); worsts the English at sea, [154](#), [155](#); his errors, [213](#), [216](#); his tragical death, [217](#), and note
- De Witt, Cornelius, tortured, [217](#), and note
- Dickson, [21](#), and note
- Digby, Sir Everard, his letters, [5](#)
- Digby, George Lord. See [BASTOL](#), Earl of
- Dissenters, courted by King James, [446](#); their debates and resolutions, [446](#), [447](#); divisions among them, [650](#), [651](#), [667](#)
- Divorce, the bishops divided about it, [600](#), [601](#)
- Dodd, one of Sacheverel's counsel, [848](#)
- Dodwell, broaches strange notions, [887](#) and note
- Dolben, Archbishop of York, [382](#), and note, [431](#)
- Dorset, Earl of, his character, [179](#), and note, [203](#); made lord chamberlain, [528](#); gives Prior an education, [872](#)
- Dorset, Lady, [502](#)
- Doughty, Dr., [518](#)
- Douglas, Earl of Angus, [2](#)
- Douglas, a minister, [20](#)
- Douglas, Marquis of, [346](#)
- Downing, Ambassador to Holland, [137](#) and note
- Druulansig, Lord, joins the Prince of Orange, [501](#)
- Drummond invites King Charles II. to Scotland, [39](#), [145](#), [162](#); is imprisoned, [249](#)
- Dryden, a character of his plays, [183](#)
- Dublin declares for King William, [554](#)
- Duffus, Lord, [98](#)
- Dugdale, his evidence in the popish plot, [294](#), [295](#), [296](#), [299](#), [309](#), [323](#), [324](#), [332](#)
- Dumfries, Earl of, [13](#), [145](#)
- Du Mont, engaged to assassinate King William, [580](#)
- Dunbarton, Earl of, [288](#)
- Duncomb, [180](#), [590](#), and note
- Dundee, Earl of, heads the episcopal party in Scotland, [510](#); goes to Scotland to raise rebellion, [537](#); raises the Highlands, [540](#); routs the king's forces, *ib.*; is killed in the action, *ib.*, and note
- Dunfermline, Earl of, [15](#)
- Dunkirk, sold to the French, [117](#); delivered to the English to be demolished, [891](#), [894](#), [896](#)
- Dunmoor, discovers Balmerinock's petition, [12](#)
- Dutch, the, worsted at sea by the duke of York, [147](#), [148](#); engage the English with advantage, [154](#); burn the ships at Chatham, [168](#), and note; their Smyrna fleet attempted, [205](#); surprise the English in Solbay, [215](#); reduced to great extremities, [216](#), [217](#), [222](#), [223](#); are hated by the English, [575](#), [621](#), [653](#); love King William, [576](#), [633](#); their good conduct in their quarters, [575](#); they own the Duke of Anjou King of Spain, [675](#); demand assistance from England and obtain it, [678](#), [682](#); love the Duke of Marlborough, [704](#); prohibit trade with France, [720](#), [728](#), [842](#); divisions amongst them, [728](#), [855](#); consent to the congress at Utrecht, [874](#); their first barrier treaty, [882](#), [883](#); condemned by parliament, [883](#), [884](#); reflected on in the Commons' address, [884](#); their memorial thereupon, *ib.*; the queen disengages herself from the alliances with them, [889](#); their plan of peace, [893](#); they sign the treaty at Utrecht, [894](#), [895](#); their second barrier treaty, [892](#), [893](#), [894](#)
- Dyckvelt, ambassador to England, [216](#); his character, [218](#), [224](#), [416](#); sent again with instructions to manage all sorts of people in England, [450](#), [451](#), [452](#), [425](#)
- Dysart, Countess of, [165](#), [198](#), [194](#)

## E.

- EALE, Bishop of Salisbury, [152](#), and note
- Earthquake, in England in 1692, [583](#)
- East India Company, their secret presents, [611](#); a new company erected, [647](#), [654](#); the two companies join, [699](#)
- Eckeren, battle of, [728](#)
- Elliot, taken with Lord Preston, [64](#), [65](#)
- Elphinston, [3](#). See [BALMERINOCK](#)
- Ely, Bishop of, his letters to St. Germaine, [564](#)
- Episcopacy, prejudices against it, [103](#); abolished in Scotland, [538](#), [561](#); voted by the lower house of convocation to be of divine right, [727](#); an act securing it at the union, [801](#); is tolerated in Scotland, [881](#)
- Equivalent, to Scotland, [799](#); how bestowed, [803](#)
- Essex, Earl of, [24](#), [25](#), [169](#); his character, [265](#); ambassador in Denmark, *ib.*; made lieutenant of Ireland, [265](#), [286](#); at the head of the treasury, [302](#); proposes limitations on the Duke of York, [308](#); against the exclusion, *ib.*; and the bishops' right of voting, [306](#), [311](#), [314](#), [315](#); quits the treasury, [315](#), [316](#); for the exclusion, [320](#), [322](#), [325](#), [331](#), [335](#), [352](#), [354](#), [360](#); sent to the Tower, [360](#); his death there, [361](#); the suspicions about it, [371](#), and note
- Essex, Countess of, [8](#), [260](#)
- Esterhazy, Cardinal, [729](#)



Evans, 294  
 Everard, 327  
 Eugene, Prince of Savoy, his rise, 644; beats the Turks near Belgrade, *ib.*; commands in Italy, 679; his conduct successful, 692; his attempt on Cremona, 693, 715; beats the French at Luzzara, 715, 728; president of the council of war at Vienna, 729; joins the duke of Marlborough in Bavaria, 753; his share in the battle of Blenheim, 754, 755; beats the Duke of Vendôme in Italy, 774, 791; his march to relieve Turin, 796, 797; beats the French and raises the siege, 797; his share in the victory at Oudenarde, 827; takes Lille, 828, 830, 831; his share in the battle of Mons, 843, 844; secures the peace of the empire in 1711, 870; comes to England, 879, and note; his character, *ib.*, 881; commands in Flanders, 886, 889; takes Quesnoy, 891; besieges Landreay, but forced to raise the siege by a loss at Denain, *ib.*  
 Eyre, Solicitor-general, his opinion as to prosecuting Dr. Sacheverel, 846; is a manager at the trial, 848

F.

Fankl, Pensioner, his character, 218, 438; his letter to Steward, 463, 494; his friendship with Dalrymple, 531  
 Fagel, General, 774  
 Fairfax, Sir Thomas, 16, 28, 33  
 Fairfax, Dr., 55  
 Fairfoul, Bishop of Glasgow, 89, 93  
 Falconbridge, Earl of, 54, 247  
 Falmouth, Earl of, 148  
 Farmer, refused to be chosen president of Magdalen College, 444  
 Fatio, 438  
 Faur, of the Sorbonne, 368  
 Fell, Bishop of Oxford, 388, 442  
 Fenwick, the jesuit, tried, 294, 298, 308  
 Fenwick, Sir John, his account of an assassination designed in 1695, 612; is in a plot of invasion, 626, 627; taken, *ib.*; his pretended discoveries, 631, 632, *ib.*; prevails on Goodman to go beyond sea, *ib.*; is attainted by bill, 632—636; practices as to his discoveries, 636, 637; his execution, 637  
 Ferdinand, King of Bohemia, 6  
 Ferguson, at West's chambers, 355, 371; cabals in Holland with the Duke of Monmouth, 404, 405, 410, 411; in a plot against King William, 545, 561; and against Queen Anne, 747, 749  
 Feversham, Earl of, 392; com-

mands against Monmouth, 412, and note; sent with a message from him to the Prince of Orange, 506, 507  
 Feuillade, Duke de, besieges Turin, 796, 697  
 Filmer's Patriarchal scheme, 372, 847  
 Finch, attorney-general, 241, 242, and note; made a peer, 526 and note, 699, 726  
 Fire of London, 155, 156, 157, and note  
 Firmin, Thomas, 648, 649, 650  
 Fisher discovers the Assassination-plot, 622  
 Fitton, chancellor of Ireland, 431, and note  
 Fitzharril, 327, 328; his trial, 330, 331, 332  
 Flanders, see NETHERLANDS  
 Fleetwood, 45  
 Fletcher, attorney-general, 72, 77  
 Fletcher, Andrew, 405, 411  
 Fleurus, battle of, saves England, 554  
 Foley, Mr., opposes the court, 589; chosen speaker, 611; chosen a second time, 619; for a land-bank, 625  
 Forbes, Bishop of Edinburgh, 12  
 Fountain, for making Cromwell king, 44  
 Fountainhall, Lord, his Diary, 379  
 Fouquet, 113  
 Fourbin, Cardinal, 366  
 Fourbin, Admiral, sent to Scotland, 824  
 Fowler, Dr., 307; made Bishop of Gloucester, 569, and note  
 Frampton, Bishop of Gloucester, deprived, 528  
 Francis, Father, refused his degrees at Cambridge, 444  
 Frazier, sent from St. Germaine to Scotland, 737; his discovery to the Duke of Queensbury, *ib.*, 746, 748  
 Frederick, Elector Palatine, marries King James the First's daughter, 5; chosen King of Bohemia, *ib.*; is defeated and flies to Holland, 5, 6  
 Frederick II. declares for the Holvetian confession, 6, 7  
 Freeman, Mr., a leading tory, 817  
 French, the, their king's pretensions to Flanders, 171; his success in Holland, 214, 215; loves flattery, 222; takes Maestricht and Valenciennes, 235; and Bouchain, 269, 270; declines a battle, 270; is angry at the Prince of Orange's marriage, 272; takes Ghent and Ypres, 274; seizes on Luxemburg, 367; his disputes with the pope, 385, 432; warns King James of the Prince of Orange's designs, 487; offers him troops, *ib.*; and threatens the States in case of an invasion, 488; prohibits Dutch manufactures, 489; his manifesto of war

against the emperor, 489, 490, and against the pope, 490; England proclaims war against him, 532; the joy in France upon report King William was killed at the Boyne, 553; the French gain the battle of Fleurus, 554; beat the confederates at sea, 555; alarm the English coast, *ib.*; gain the battle of Steinkirk and Namur, 581, 583; gain the battle of Landen, 591; take Charleroi, *ib.*; take some of the English and Dutch Smyrna fleet, 593; offer the Duke of Anjou to Spain, 598, 603; they try to get a peace, 591, 604; break their cartel, but forced to observe it, 614, 621, 622, 623; new attempts by them for a peace, 630, 638, 641, 642; they conclude a treaty at Ryswick, 642, 643; they treat for a partition of the Spanish monarchy, 656, 660, 661; break their treaty upon the King of Spain's death, 672, 673; corrupt a party in parliament, 675, 676; negotiate with the States, 677, 682; own the Pretender King of England, 696; join the Elector of Bavaria, 728; beat the Germans and take Augsburg and Landau, 729, 730; discover the Duke of Savoy's designs, 733; seize on his troops in their service, *ib.*; are beat at Blenheim, 754; their credit low, 771, 805, 826; their preparation in 1706, 792; forced to raise the siege of Barcelona, *ib.*; beat at Ramillies, 794; lose many towns, 795; evacuate Italy, 807; try for peace, 808; their success at Stolhoven, 809; sink many capital ships at Toulon, 810; their descent in Scotland unsuccessful, 824, 825; surprise Ghent and Bruges, 827; beat at Oudenarde, *ib.*; and at Lef-finghen, 828, 829; lose Lille, 830; negotiate for peace, 840; their king will not ratify the preliminaries agreed on, 841, 842; further negotiations, 854, 855; send ministers to Gertruydenberg, 855; nothing concluded, 855, 858; their preliminaries in 1711, 872, 873; their proposals at Utrecht, 884; they beat the Earl of Albemarle at Denain, 891; take Marchiennes and Quesnoy and Douay, *ib.*; their princes of the blood renounce all right to the crown of Spain, and King Philip to the crown of France, 892; they deliver up Dunkirk to be demolished, 891, 894; their treaty with England and the States, 895, 896; their treaty of commerce with England, 896, 897; they send the Pretender away to Lorrain, 895  
 Friend, in the plot of invasion,



626; receives absolution at Tyburn, 627  
 Frost, sent by Saville with a forgery to Scotland, 15  
 Frost, a hard one, 831  
 Furstenburg, Prince of, Dean of Cologne, seized, 235; made Cardinal, 432; pretends to be coadjutor of Cologne, *ib.*; the French king espouses his cause, 482

G.

GAGE, informs Cromwell about the West Indies, 49  
 Gallas, Count, the emperor's ambassador, 873  
 Galway, Earl of, (*see* ROUVIGNY,) sent to Savoy, 628; general in Portugal, 757; loses his arm at Badajos, 777; takes Alcantara, 791; marches into Spain, *ib.*; takes Ciudad-Roderigo, 793; loses the battle of Almanza, 809, 811; returns to Portugal, 820; his conduct censured by the House of Lords, 859, 860, 861  
 Garrard, Sir Samuel, 846, 848  
 Garroway, 232  
 Gauden, Bishop, author of "Eikon Basilike," 31; summary of the evidence for and against his claim to the authorship, 31\*, 32\*, 33\*  
 Gaultier, Abbot, 873  
 Gaunt, Mrs., her execution, 416  
 Geo, 430  
 Genoa, bombarded, 384; its submission to France, 385, 603  
 George, Prince; *see* DENMARK  
 Germany, campaigns there, 541, 581, 590, 601, 615, 616, 712, 714, 728, 753, 754, 755, 772, 774, 794, 795, 809, 812, 829, 830, 843, 858, 870  
 Gertruydenberg, conferences there, 855, 889  
 Gibraltar, taken by Sir George Rook, 757; besieged by the French, 758; the siege raised by Leak, 771  
 Gibson, Colonel, deputy-governor of Exeter, 502  
 Gilmore, 79; is president of the session, 83  
 Ginkle, General, 563, and note, 567; takes Athlone, 571; gains the battle of Aughrim, and reduces Ireland, *ib.*, 572; made Earl of Athlone, *see* ATHLONE  
 Girald, 295  
 Glasgow, Dean of, sent to King William from the episcopal party in Scotland, 538  
 Glencairn, Earl of, 38, 39, 60, 72; made chancellor of Scotland, 75, 77, 102; opposes Sharp's violence, 140  
 Glencoe, massacre there, 576, 577, and note; enquired into by the parliament, 617, 620  
 Gloucester, Duke of, his character, 116, and note

Gloucester, Duke of, put in a method of education, 648, and note; his death and character, 668, 669  
 Glyn for making Cromwell king, 44  
 Godden, 295, 296  
 Godfrey, Sir Edmondbury, his character, 284; is murdered and his body found, 284, 285, 291; his murderers discovered, 295  
 Godolphin, Sir William, 285  
 Godolphin, Mr., in the treasury, 302; his character, 317, and note; for the exclusion, 322; secretary of state, 384; is in the scheme laid at the Duchess of Portsmouth's, 390; one of the queen's household, 400; sent by King James to the Prince of Orange, 503; again in the treasury, 527; made lord treasurer by Queen Anne, 706, 731, 745, 763, 764; declares for the whigs, 779, 816, 835; raises the public credit, 787; his zeal for the union, 804; prevails to have Mr. Harley dismissed, 821, 852; is himself turned out, 856; and attacked by the new ministry, 865, 869; his death, 893  
 Goodenough, 355, 356, 374, 417, and note  
 Goodman, evidence as to the plot of invasion, 627, 632  
 Goodwin, John, a fifth-monarchy man, 43, 107, and note  
 Goodwin, Thomas, an expression of his in prayer, 54  
 Gordon, 10, 13  
 Gordon, Duke of, governor of Edinburgh Castle, 509; maintains it for King James, 537  
 Gould, Judge, 743  
 Goran executed, 85; a jesuit, his trial, 294, 308  
 Gower, Luçon, Mr., 706; made a peer, 726  
 Gowrie's conspiracy, a circumstance omitted by all the historians, 9  
 Grafton, Duke of, joins the Prince of Orange, 501; killed at the siege of Cork, 559, and note  
 Graham, 333, 564, 565  
 Grandval, undertakes to kill King William, 580, 581; confesses it, and is executed, 706  
 Granvill, Mr., made a peer, 726  
 Green, 295, 296  
 Greenville made earl of Bath, 67; his character, 67\*. *See* BATH  
 Gregg, his correspondence with France, 821; is condemned and executed, 821, 822, 823, and note  
 Grey, Lord, his trick in passing the Habeas Corpus Act, 321; meets Monmouth at Shepherd's, 362; escapes out of the Tower, 359; meets Monmouth in Holland, 405; his ill conduct, 411; is pardoned, 414, and note  
 Greydon, Admiral, commands a

squadron in the West Indies 735; attempts Placentia unsuccessfully, 735, 741  
 Grimstone, Sir Harbottle, presses the treaty in the Isle of Wight, 27; charges Cromwell with force on the Parliament, 27, 56; is chosen speaker, 104; made master of the rolls, 253; his character, 253, 254, and note; his wife's, 254; his death, 386  
 Grotius, 204, 211  
 Grove, Dr., made Bishop of Chichester, 569, and note  
 Gueldermaesen, 714  
 Guilford, Lord, 683  
 Guise, House of, try to embroil England, 1, 2  
 Guiscard, his attempt on Mr. Harley, 864; is wounded in council, *ib.*; dies of his wounds, *ib.*  
 Gunning, Bishop, a manager at the Savoy conference, 124, 289, 382, 383, and note; his character, 124\*  
 Gunpowder Plot, 5  
 Gustavus Adolphus, 210  
 Guthry's remonstrance to King Charles 1, 77, 84; his speech and execution, 85  
 Guthry, an incendiary, 158, 160, 111\*  
 Gwynn, Mrs., 393

H.

HABEAS CORPUS act carried by a trick, 321; the ministry indemnified for breaking it in time of danger, 562, 585  
 Hackston, his execution, 337, 338  
 Hadintoun, Earl of, a promoter of the union, 800  
 Hague, 12, 13; a congress of princes there, 566; negotiations there for peace, 840, 841, 842  
 Haies, a banker, his trial, 388  
 Hale, Sir Matthew, moves for limitations on restoring the king, 58; for a comprehension, 175; his opinion as to treason in Lord Russel's case, 362  
 Hales, Sir Edward, his trial on the test act, 427; follows King James beyond sea, 504  
 Halewyn, 30, 211; his character, 219, 224, 249  
 Hall, Dr., made Bishop of Oxford, 468  
 Hall, Dr., made Bishop of Bristol 569, and note  
 Hallifax, Marquis of, his character, 181, 182; opposes the test, 256; dismissed from council, 266, 268, 281, 207; is again in council, 302; against the exclusion, but for limitations, 303, 312, 315, 319; commons' address against him, 320, his expedient, 321; is for Lord Stafford, 325, 327; his saying about addresses, 330, 333, 335, 342; opposes Lord



- Rochester, [348](#); his services forgotten, [349](#), [366](#); brings Monmouth into favour, [373](#); his jest on Rochester, [384](#), [389](#); his jest on a Siam missionary, [390](#); complains of erasures in the treasury books, [391](#); moves in council to examine who have taken the test, [418](#), [419](#); dismissed, [420](#); argues for the test, [425](#); meets at Lord Shrewsbury's, [452](#), [485](#); sent by King James to the Prince of Orange, [503](#), [507](#), [511](#), [517](#), [518](#); made privy seal, [526](#); is attacked in the House of Lords, and quits the court, [534](#); heads the opposition, [585](#); his death, [613](#)
- Hallifax, Lord (see [MONTAGUE](#)), [674](#), [677](#); is impeached by the Commons, [680](#), [681](#), [685](#); his answer, [685](#); acquitted by the Lords, [688](#), [708](#); his project for a public library, [745](#), [788](#), [789](#); argues for the union, [802](#), [819](#), [839](#)
- Halloway's conspiracy, [355](#); and execution, [374](#)
- Halloway, Judge, [470](#)
- Haltom, Lord, [200](#); charged with perjury, [339](#)
- Hamburgh, sedition there quelled, [814](#)
- Hamden, his character, [353](#), [354](#); sent to the Tower, [360](#); his trial, [374](#), [375](#), [404](#), [415](#); advises a clause in King William's speech, [529](#)
- Hamilton, Duke of, [16](#); his secret powers, [22](#); in favour with Charles II., [34](#)
- Hamilton, Duke of, his character, [71](#), and note, [80](#); against restoring episcopacy, [88](#), [101](#); president of the convention, [161](#), [165](#), [192](#), [199](#), [200](#), [224](#), [240](#), [241](#), [245](#), [247](#), [249](#), [267](#); complains of the Highlanders quartered in the West, [278](#), [291](#), [312](#), [338](#); for the succession in the duke of York, [338](#), [433](#); with others of the Scotch nobility, addresses the Prince of Orange, [610](#); is president of the convention in 1689, [537](#), [538](#); is commissioner of parliament, [538](#), [539](#), [560](#); refuses it in 1690, [560](#), [597](#); is commissioner in 1693, [597](#); his death and character, [613](#)
- Hamilton, Duke of, his son, [711](#), [749](#), [762](#), [799](#), [800](#); opposes the Duke of Queensbury, [836](#); made Duke of Brandon, [876](#); refused to be admitted by the House of Lords, [877](#); appointed ambassador to France, [892](#); killed by Lord Mohun in a duel, *ib.*
- Hamilton, Duchess of, [187](#), [197](#), [498](#), [799](#)
- Hamilton, heads the rebels at Bothwell Bridge, [313](#)
- Hamilton, General, sent to treat with Tyrconnel, [511](#); King William's humanity to him at the Boyne, [559](#)
- Hamilton, Bishop of Galloway, [89](#)
- Hamilton, made Bishop of Dunkeld, [434](#)
- Hammond, Henry, his character, [121](#) and note
- Hanmer, Sir Thomas, [817](#)
- Hanover, Duke of, [481](#); quits the French interest, [573](#); made an elector, *ib.*, [660](#)
- Hanover, (Duchess of,) Electress of, proposed to be named in the succession, [533](#); is named, [682](#); a further security for their succession, [723](#); designs to invite her over, [768](#); debated in parliament, [782](#); a regency in case of absence, [783](#), [784](#); her succession guaranteed, [882](#), [883](#), [892](#), [893](#)
- Hanover, Elector of, her son, has the garter sent him, [684](#); surprises the Dukes of Wolfenbuttle and Saxe Gotha, [711](#); commands the army on the Rhine, [812](#), [830](#), [838](#), [843](#); his minister's memorial against the treaty with France, [874](#)
- Hanover, Electoral Prince of, marries the Princess of Anspach, [811](#); has precedence in the House of Lords by Act of Parliament, [877](#), [879](#)
- Harbord, Sir Charles, his character, [257](#)
- Harbord, Mr., [582](#)
- Harcourt, Mareschal de, [842](#)
- Harcourt, 295; his trial, [308](#), [310](#)
- Harcourt, Sir Simon, [706](#); draws the act of union very artfully, [802](#) and note; adheres to Mr. Harley, [817](#); lays down with him, [822](#); counsel for Sacheverel, [848](#); made attorney-general, [856](#); and lord-keeper, *ib.*
- Hardy, Captain, [718](#)
- Hare, Dr., [885](#) and note
- Harlay, president of the Parliament of Paris, [368](#), [642](#)
- Harley, Mr., opposes the court, [589](#), [625](#); is chosen speaker, [674](#) and note, [683](#), [695](#); is made secretary of state, [752](#), [804](#); sets up independent of Lord Godolphin, [816](#), [817](#), [818](#), [819](#), [820](#), [821](#); lays down his employment, [822](#); his spies ill chosen, *ib.*; contrives a change of ministry, [852](#), [856](#); promotes enquiries into abuses, [862](#); is stabbed by Guiscard, [864](#), and note; is made Earl of Oxford and Mortimer, [866](#). See [OXFORD](#)
- Haro, [56](#), [717](#)
- Harrington, [43](#); for choosing parliaments by ballot, [55](#), and note
- Harris, sent by King James to assist in the assassination, [622](#)
- Harrison, the regicide, executed, [106](#) and note
- Harvey, his answer to the king, [255](#)
- Haecard, Dr., [386](#)
- Haversham, Lord, his saying at a conference, [687](#); it raises great contests, [688](#), [691](#), [781](#), [819](#)
- Hawkins, [331](#)
- Hay, [12](#)
- Hodges, Sir Charles, [699](#); secretary of state, [706](#) and note
- Heinsius, Pensioner, [842](#), [889](#)
- Hemmings, apothecary, his story of the Prince of Wales's death, [478](#)
- Henderson, Alexander, [20\\*](#)
- Henly, Mr., his story of King Charles's death, [393](#) and note
- Henry, Prince, believed to be poisoned, [4](#) and note
- Herbert, Sir Edward, Chief Justice, [427](#), and note; goes the Western circuit, [428](#); made an ecclesiastical commissioner, [431](#); a judge in the seven bishops' trial, [470](#)
- Herbert, Admiral, against repealing the test, [428](#), and note; goes over to Holland, [483](#); is lieutenant-general of the Dutch fleet, [492](#), [493](#), [494](#), [495](#), [498](#); made Earl of Torrington, [528](#). See [TORRINGTON](#)
- Hervall, de, his account of the Duke of Savoy, [732](#)
- Hervey, John, his reply to King Charles, [255](#); his character, *ib.*\*
- Hervey, Mr., made a [baron](#), [726](#)
- Hesse, Landgrave of, [481](#), [582](#), [590](#), [660](#), [755](#)
- Hesse, a Prince of, [638](#), [667](#), [730](#); governor of Gibraltar, [757](#); his brave defence of it, [758](#); goes with King Charles to Catalonia, [775](#); killed in attacking Fort Montjuic, [776](#)
- Hesse, a prince of, defeated by Count Medavi, [798](#)
- Hewes, [337](#)
- Heylin, [31](#)
- Hicks, Dr., [277](#), [887](#) and note
- High Church, the distinction between it and Low Church when begun, [670](#), [671](#), [727](#)
- Hill, [295](#), [296](#)
- Hill, General, his expedition to Canada, [871](#)
- Hoadley, Mr., his character and writings, [847](#)
- Hobbes, [69](#); his *Leviathan*, [128](#) and note
- Holland, Sir John, [745](#)
- Holland, disorders there, *6*. See [DUTCH](#)
- Holles, Lord, his advice how to save Lord Strafford, [19](#); and end the Civil War, [23](#), [27](#); his character, [65](#) and note; and conduct in France, [142](#); opposes the test, [256](#), [267](#), [287](#); against the bishops' votes in treason, [306](#)
- Holmes, attacks the Dutch Smyrna fleet, [205](#), and note
- Holmes, corresponds with Argyle, [379](#)
- Holstein Duke of, [660](#), [667](#), [668](#), [716](#)



Holt, Sir John, made Chief Justice of the King's Bench, 527, 666; his behaviour in the affair of Aylesbury, 743, 768, 807; his death and character, 850 and note

Hono's trial, 345

Hono's execution, 364

Hooper, Dr., 430, 690, and note; is made a bishop and opposes the union, 802

Hope, Sir Thomas, 12 and note

Horneck, Dr., 709

Hough, Dr., chose president of Magdalen College, 445; turned out by the ecclesiastical commission, 445, 446 and note; is made Bishop of Oxford, 569

Howard of Escrick, Lord, 16

Howard, Lord, 249, 285, 331; brings Monmouth and Sidney acquainted, 353, 355, 357, 359; his confession and examination, ib., 360; evidence against Lord Russel, 360, 361, 362; against Sidney, 371, 372; and Hamden, 374

Howard, Cardinal, 423

Howe, John, Mr., 719 and note, 722, 724

Howel, 155

Hubert confesses setting fire to London, ib.

Huddleston gives King Charles II. the Sacrament, 392

Hume, Sir Patrick, corresponds with Argyle, 404

Humieres, 367

Hungary, wars there with the Turks, 573, 582, 603, 617, 629, 644; a peace, ib.; the Hungarians revolt, 694, 759, 729; an accommodation treated without success, 760; campaigns there, 778, 791, 807, 832, 846; all matters accommodated, 866

Huntingdon, Earl of, his bravery, 683, 713

Huntley, Marquis of, kills the Earl of Murray, 10, 23

Hutchinson, 187, 190; refuses Leighton's terms for a comprehension, 195, 197, 198

Hutton, Dr., Physician to King William, gives two remarkable instances of his equality of temper, 558

Huy taken by King William, 601

Hyde, Chancellor, 39, 48, 58, 59, 60. See CLARENDON

Hyde, Sir Henry, Ambassador from Charles II., in his exile, to the Porte, 53; delivered up to Cromwell, and executed, ib., and note

## I

JAMES I., King, his minority, 1; inclines secretly to France, 2; the Kirk disgusted at his fickleness in religion, 2, 3; his misconduct, sets up episcopacy in Scotland, 3;

afraid of the Jesuits, 6; jealous of Prince Henry, 4\*; will not acknowledge the Elector Palatine King of Bohemia, 6; parts with the Dutch cautionary towns, 7; diminishes the power of the Crown, ib.; his death and character, 8

JAMES II., King, (see YOUNG,) begins his reign with great advantage, 398; his education, ib.; learned war under Turenne, 399; is proclaimed, ib.; addresses from Oxford and London, ib.; customs and excise levied without law, 400; goes openly to Mass, 401; his course of life, ib.; summons a parliament, 402; his Coronation, 403; his success against Monmouth and Argyle, 415; cruelties of soldiers and of Jefferies in the West, 416; the nation turned by them, 417; disputes about the test, ib.; the King's declaration against the Test Act, 419; the Commons address for observing the Act, 425; some members closetted, others disgraced for their voting, 426; the Judges consulted as to the King's dispensing power, 427; the Test neglected, 428; an ecclesiastical commission, 431; he sends the Earl of Murray to hold a parliament in Scotland, 433; the Parliament will not take off the Test there, 433; and is dissolved, 434; the King makes Mrs. Sidney Countess of Dorchester, 434, 435; attempts to bring Papists into the two Universities, 443, 444; the President and Fellows of Magdalen College turned out, 445, 446; the King courts the Dissenters, ib.; his army encamps on Hounslow Heath, 447; sends an Ambassador to Rome, ib.; and Alberville Envoy to Holland, 450; the King's designs disclosed by the Jesuits at Liege, 452; by his Proclamation in Scotland he claims absolute power, 452, 453; his declaration for Toleration in England, ib.; addresses of the Dissenters, 454; the Parliament dissolved, ib.; the Pope's Nuncio received, 455; the King's progress ib.; changes the Magistrates over England, ib.; questions put about elections, 456; his letter to the Princess of Orange about religion, 457, 458; her answer, 458, 459; Steward in favour, 463; F. Petre a Privy Councillor, 464; the King demands his regiments in the States service, 465; a new Declaration for toleration, 466; the Clergy refuse to read it, 467; the Bishops petition against it, 467, 468; are sent to the Tower, 469; are tried in Westminster Hall, 469, 470; great joy at their acquittal, 470 and note; the

Clergy cited, 473; the Queen gives out she is with child, 476; an account of the birth of that child, 476, 477, 478, 479; a fleet set out, 480; the Court alarmed, ib., 481, 487; Lord Dartmouth commands the fleet, 487; Irish recruits refused by the officers of the army, ib.; the French troops refused, 488; the Earl of Sunderland prevents the seizing suspected persons, 497; proofs of the birth of the pretended Prince of Wales, 497, 498; the fleet is forced back into Portsmouth, 500; the King comes to Salisbury, 501; many forsake him, ib.; the Princess of Denmark does, ib.; he returns to London, 503; sends for the Lords there, and by their advice sends to treat with the Prince of Orange, ib.; strange counsel of the Priests, 504; the King goes away in disguise, ib.; taken and brought to Feversham, 505; advices given as to his person, 506; brought to Whitehall, ib.; sent under a Dutch guard to Rochester, 508; his Queen presses him to come to France, 509; he flies thither, ib.; proceedings in Parliament after his departure, 519\*, 520\*, 521\*; a party forming for him in England, 532; his great seal found in the Thames, 534; his conduct at the French Court runs his affairs, 535; goes to Ireland, ib.; cabals in Scotland in his favour, ib.; forced to raise the siege of Londonderry and Bnniskillen, 536; some Whigs in his interest, 545; his conduct in Ireland, 552, 553; his behaviour at the Boyne, 554; leaves Ireland, ib.; slighted in France, 557; his partisans in Scotland dispersed, 560; plots there in his favour discovered, 560, 561; he intends a descent on England, 578; in a plot against King William, 581; the abjuration him not carried, 585; Middleton's proposition to him, 598; his Declaration, ib.; Charnock and the Earl of Ailesbury sent to him, 612; he grants a Commission to attack King William's person, 622; is ready to invade England, 622, 623; Berkeley, who had his commission, escapes, 624, 643, 652; his death and character, 695, 696

Jane, Dr., 436

Jefferies, Sir George, 321, 362, made Chief Justice, 369 and note; 371, 372, 375, 376, 383, 387, 388; his cruelty in the West, made a Baron, 415, and note; and Lord Chancellor, 425, 430, 444, 447, 497; sent to the Tower, 505

Jefferies, Lord, 683

Jekyll, Sir Joseph, 745 and note



a manager in Sacheverell's trial, 848  
 Jenkins, Sir Lionel, Plenipotentiary at Cologne, 234, and note; and at Nimeguen, 280, 291; made Secretary of State, 312; his violence as to the City of London, 347, 348; dismissed, 384  
 Jennison, his evidence in the Popish plot, 297  
 Jermyn, Earl of St. Albans, 25, and note  
 Jersey, Earl of, 641, and note, 666, 678, 708, 752; employed in treating with France, 872; death, *ibid.*  
 Ingoldsby, 66  
 Inniskillen, siege of, 636  
 Johnston, 415, 486, 575, 579, 761, 764  
 Johnston, Sir Patrick, 801  
 Jones, John, 8, 264, 303, 319, and note, 325, 347, 328, 329, 335, 869  
 Jones, Bishop of St. Asaph, 658  
 Joseph, King of the Romans, takes Landau, 714, 755; succeeds Leopold, his father, as Emperor, 723; his separate treaty for evacuating Italy, 807; is the cause of disappointing the design upon Toulon, 808, 809, 810; Naples reduced to his obedience, 812; his death, 866  
 Ireland, the war there after the Revolution, 535, 536, 551, 552, 553, 554; wasted by the rapparees and soldiers, 560, 562, 563; reduced by Ginkle, 570, 571, 572; a parliament there, 575; another in 1695, 619; Trustees of the forfeited estates there, 694, 695; Whig and Tory prevail there, 738; the Papists' estates split by Act of Parliament, 739; the Protestants divided, 738, 739; and the Clergy there, 839  
 Ireland, his trial, 294, 297, 298  
 Ireton, the author of King Charles the first's death, 28, 30  
 Irish massacre, 25  
 Ironside, Dr., made Bishop of Hereford, 569, and note  
 Isabella, Archduchess, 6, 30  
 Italy, campaigns there, 574, 583, 590, 616, 628, 729, 774, 791; evacuated by the French, 807  
 Judges, a bill to make their salaries for life, 575  
 Justices, Lords, during King William's absence, 613  
 Juxon, attends King Charles at his execution, 28, and note; made Archbishop of Canterbury, 120

## K.

Kettlwo, draws the Act of Uniformity, 125  
 Keeling, his depositions, 356, 364  
 Keiseraert, siege of, 541, 712

Keith, George, leaves the Quakers, 670  
 Keith, in a plot, 746, 748  
 Ken, Bishop, his character, 382, 383; attends King Charles on his death-bed, 392; and Duke of Monmouth at his execution, 413  
 Kennet, Dr., 689  
 Kent, Earl of, made Lord Chamberlain, 752; a Duke, 882; has the Garter, 892  
 Keppel, made Earl of Albemarle, 656, and note  
 Ker, 169  
 Keys, in the Assassination-Plot, 625  
 Kid, sent against pirates in the East-Indies, 663; turns pirate, *ib.*; taken and hanged, 680  
 Killigrew, in the Admiralty, 586  
 Killock, 22  
 Kincardine, Earl of, his character, 72; against Episcopacy, 88; and Sharp's violence, 143, 165, 166, 186, 195, 250; turned out of the council, 267, 291, 339  
 King, a physician, 391  
 King, Dr., Archbishop of Dublin, 847  
 King, in the Assassination Plot, 625, 626  
 King, Sir Peter, a manager in Sacheverell's trial, 848  
 Kirk, 415 and note, 486, 536  
 Kirkton, a conventicle preacher, 267  
 Knightly, views the ground for attacking King William, 622; condemned and pardoned, 627

## L.

Lake, Bishop of Chichester, absent from Parliament, 528, is deprived, 562  
 Lambert, General, 55, 56; accused by Oates, 286  
 Landau, taken by the Germans, 714; retaken by the French, 730; taken by the Imperialists again, 754, 755  
 Landen, battle of, 591  
 Langham, Sir James, 181  
 Langhorne, 155, 285; his trial and death, 309  
 Langston, Colonel, 501  
 Lanier, 558  
 La Rue discovers the Assassination Plot, 622  
 Lavaradin, Count, enters Rome in a hostile manner, 482  
 Lauderdale, Earl of, 13, 14, 17, 22, 23, 29, 34, 35; his character, 70, and note; urges the King to grant an indemnity, 73; proposes to destroy Cromwell's forts, 73, 74; for Presbytery, 74; made Secretary of State, 75; against a Scotch council at Whitehall, 76, 80, 87, 88, 94, 96; is in the incapacitating list, 99; accuses Middleton, 137, 138, 139, 140; gives way to Sharp, 141, 143, 144, 162, 164, 165, 166, 177, 180, 188, 191; his speech to Parliament, 197; passes the act of supremacy, 194, 195; screws Papists, 196, 200; marries Lady Dysart, 204; is made a Duke and has the Garter, 206; his insolence, 224; angry at the Presbyterians, 225, 226; his violent counsel, 231, 235, 236; a party against him, 240; puts off the Session, 241; an address to remove him, 242; is reconciled to Argyle, 245; made Earl of Guilford, 246, 248, 249, 250, 264, 266, 271, 274, 275, 276, 277; his violent administration, 277, 278, 279, 287, 288, 291; charge against him, 312; heard in council, 312, 313; draws the indemnity after the rebellion at Bothwell Bridge, 314; votes against Lord Stafford, 325, 337, 338  
 Lauderdale, Duchess of, 225, 240  
 Lanzun commands the French troops sent to Ireland, 535; his ill conduct there, 558, 559  
 Leak, or Lake, Sir John, 758; raises the siege of Gibraltar, 771, 791, 792; and of Barcelona, 794  
 Learmonth surprises Turner, 158  
 Lee, Sir Thomas, 232; his character, 266  
 Lee, 364  
 Leeds, Duke of, 616; acquitted of his impeachment, 688  
 Leefdale disappoints an intended assassination of King William, 481  
 Le Fevre, Dr., 393  
 Leg, 356  
 Leganes, Marquis of, 775  
 Leicester, Earl of, 211  
 Leighton, Bishop, his character, 89, 90, 91, 92; his moderation, 92, 94, 96, 145; proposes a comprehension, 166, 185, 186, 187, 189, 192; made Archbishop of Glasgow, 194; his scheme of accommodation with the Presbyterians, *ib.*; his conferences with them, 195; angry at the act against conventicles, 196; his further conferences with the Presbyterians, 198, 199, 200, 225; resigns his archbishoprick, 226; his death, 381  
 Leux, Duke of, 3 and note, 11  
 Leopold, the Emperor, loses Belgrade, 562; beats the Turks, 573; a great victory over them near Belgrade, 644; makes the peace of Carlowitz, *ib.*; secretly consents to the Partition Treaty, 661, 677; begins the war with France in Italy, 679, 692, 693; refuses to own the Pretender, 696; is in great distress, 728, 729, 752; the Duke of Marlborough saves the empire, 752; the Emperor continues the war in Hungary, 759; his death and character, 773  
 Lesley, 36  
 Lesley, author of the Rehearsal, 847, and note



L'Estrange, Sir Roger, [307](#), and note  
 Lexington defeats the Highlanders, [500](#); his share in the massacre at Glencoe, [577](#), [622](#)  
 Lexington, Lord, sent Ambassador to Spain, [892](#)  
 Leybourn, a Bishop sent from Rome, [464](#)  
 Lichtenstein, Prince of, a favourite of King Charles of Spain, [777](#), [730](#), [793](#), [794](#)  
 Liege, the factions there, [601](#)  
 Limerick, siege of, raised, [558](#); capitulates, [572](#)  
 Lindsay sent from King James to Scotland, [535](#), [747](#)  
 Litch'gow, Earl of, [313](#)  
 Lisie, Lord, [416](#); his lady's character and execution, [417](#), and note  
 Littleton, Sir Thomas, [156](#), [169](#), [130](#); his character, [156](#), [259](#), [281](#), [230](#), [302](#), [327](#), [328](#)  
 Liturgy in Scotland, how prepared, [15](#)  
 Lloyd, Dr., his character, [130](#), and note; his account of the fire of London, [156](#), [281](#), [285](#), [288](#), [296](#), [323](#), [443](#), [478](#), [523](#); is Bishop of Worcester, [644](#)  
 Lloyd, Bishop of Norwich, absent from Parliament, [528](#); is deprived, [569](#), [632](#)  
 Lob advises sending the Bishops to the Tower, [468](#)  
 Locke, Mr., [404](#)<sup>\*</sup>  
 Lockhart, Sir George, stands it against the King's order, [246](#); counsel for Mitchell, [275](#); against Lauderdale, [312](#), [338](#)  
 Lockhart, Sir James, [101](#)  
 Lockhart, Cromwell's Ambassador in France, [50](#), [56](#), [57](#), [153](#); sent to France by King Charles II., [203](#), [260](#), [261](#)  
 London, the Lieutenantcy in Tory hands, [547](#), [857](#)  
 Londonderry, siege of, raised, [535](#)  
 Lonsdale, Viscount, [678](#)  
 Lorn, Lord, [38](#), [73](#); solicits in behalf of his father, [83](#); his letter intercepted, [98](#); sketch of his previous life, [98](#)<sup>\*</sup>; it hastens his father's execution, [98](#), [99](#); made Earl of Argyle, [141](#). See ARGYLE  
 Lorrain, Cardinal, [208](#)  
 Lothian, Earl of, [10](#), [83](#)  
 Lothian, Marquis of, [835](#)  
 Louvois, dragoons the Protestants, [421](#), [438](#), [487](#); is secretly an enemy to King James, [535](#), [580](#)  
 Lowdun, Earl of, [15](#), [17](#), [26](#), [83](#)  
 Lower, Dr., [333](#)  
 Lowick is in the Assassination-plot, [627](#)  
 Ludlow, [28](#)  
 Lumley, Lord, [412](#), [485](#), [487](#), [501](#)  
 Lunenburg, Duke of, [481](#), [667](#)  
 Lunt, [608](#); some tried on his evidence, *ib.*  
 Luxemburg, Duke of, marches marches into Holland, [223](#), [270](#); gains the battle of Fleurus, [554](#), [581](#); of Steenkirk, [581](#); and of Landen, [591](#); his death, [614](#)

## M.

Maccari dies in the torture, [160](#)  
 Maccarty, Colonel, [389](#)  
 Marclean, Sir John, his account of a plot, [746](#), [747](#), [748](#), [749](#), [750](#)  
 Macclesfield, Earl of, [495](#), [684](#)  
 Macdonalds, from Ireland, [22](#), [23](#); of Glencoe, [576](#)  
 Mackay commands in Scotland, [540](#); his services in Ireland, [571](#), [572](#); killed at Steenkirk, [582](#)  
 Mackenzie, [27](#), and note  
 Macom, [432](#)  
 Macquair, [79](#)  
 Magna Charta, an original in the author's hands, [19](#) and note, [514](#)  
 Maintenon, Madame de, [580](#), [590](#), [651](#), [672](#), [797](#), [842](#)  
 Manchester, Lord, [56](#); made Lord Chamberlain, [66](#); his character, [66](#)<sup>\*</sup>; is for moderation, [131](#), [178](#)  
 Manchester, Earl of, Ambassador in France, [672](#); leaves that court, [696](#)  
 Mansel, Colonel, [315](#)  
 Mansel, Sir Thomas, [752](#), [822](#)  
 Mansfield, Count, [715](#), [729](#)  
 Manton, Dr., [175](#), and note, [206](#)<sup>\*</sup>  
 Mantua, Duke of, [679](#), [692](#), [693](#)  
 Manwaring, Dr., [851](#)  
 Marchmont, Earl of, promotes the Union, [800](#)  
 Marlborough, Earl of, (see CHURCHILL) takes Cork and Kinsale, [559](#), [574](#); is dismissed, [577](#), [578](#), and note; sent to the Tower on a forged accusation, [584](#), [585](#); Governor to the Duke of Gloucester, [648](#), [678](#); sent to Holland on Queen Anne's accession, [704](#); made Captain-General, [706](#), [708](#), [713](#); takes Venlo, Ruremond, Steenshuert, and Liege, [713](#); escapes from a French party, [714](#); beloved in Holland, *ib.*; made a duke; *ib.*; has thanks from both Houses of Parliament, *ib.*; takes Bonne, Huy, Limbourg, Guelder, and all the Coudras, [727](#); his secrecy in conducting his designs, [728](#), [752](#); routs the Bavarians at Schellemburg, [753](#); joins Prince Eugene, *ib.*; the victory at Blenheim, [754](#); is made a prince of the Empire, [754](#), [755](#); his negotiations at several courts, [756](#), [764](#); disappointed by the Prince of Baden, [772](#); breaks through the French lines, [773](#); goes to several courts, [774](#), [786](#); his victory at Ramillies, [795](#); reduces all Flanders and Brabant, *ib.*; takes Ostend, Menin, Deuermont, and Aeth, *ib.*, [809](#), [814](#); removes Mr. Harley, [821](#), [826](#); his victory at Oudenard, [827](#); six thousand of his men beat twenty thousand French, [828](#), [829](#); forces the French lines, [830](#); Lille taken, *ib.*; and Ghent

and Bruges, [831](#), [834](#); he is Plenipotentiary for treating with France, [840](#), [841](#), [843](#); takes Tournay, *ib.*; his victory at Blareignies, *ib.*; takes Mons, [852](#), [853](#); takes Doway, *ib.*; and Fort Escarp, [853](#); rejects King Philip's offers, [854](#); takes Bethune, Aire, and St. Venant, [858](#), [859](#); has not the usual thanks of Parliament, [862](#); carries the Queen a surrender of his lady's places, *ib.*; passes the French lines, [870](#); and takes Bouchain, [871](#); retires from council, [874](#); turned out of all his employments, [878](#); his present from the Jew voted illegal, [880](#); and the two and a half per cent. from the foreign troops, *ib.*; Libels against him, [880](#), [881](#); Prince Eugene's saying as to one of these, *ib.*; suits against him, [893](#); his innocence apparent, [880](#), [881](#); on Lord Godolphin's death he goes abroad, [893](#)  
 Marlborough, Countess of, and afterwards Duchess, (see CHURCHILL) is forbid the court, [578](#); is reflected on for favouring the Whigs, [781](#); her authority quoted, [782](#); her interest at Court declines, [816](#); is again in favour, [822](#); she leaves the Court, [852](#); and sends a surrender of her places, [862](#), and note  
 Marsin, Marschal, [233](#), and note, [753](#), [754](#)  
 Martin, Admiral, [106](#), [107](#)<sup>\*</sup>, [795](#)  
 Mary, Queen. See QUEEN MARY.  
 Masquerades at Court, [178](#)  
 Masham, Mrs., made Privy Purse, [862](#), and note  
 Massey, Dean of Christchurch, [443](#)  
 Matthias resigns the Crown of Bohemia, [5](#)  
 Maurice, Elector of Saxony, [208](#)  
 Maximilian against persecution, [5](#)  
 Maxwell an incendiary, [158](#)  
 May, Mr., [312](#), [390](#)  
 Maynard, Serjeant, [44](#), [292](#), [409](#); his repartee to King William, [509](#); made one of the Commissioners of the Great Seal, [526](#)  
 Mayne, Duke de, [614](#)  
 Mazarin, Cardinal, [48](#), [50](#), [56](#), [112](#)  
 Meaux, Bishop of, [420](#), [651](#)  
 Medina Cell, Duke of, [693](#); sent prisoner to Segovia, [85](#)  
 Melfort, Earl of, [408](#), [418](#), [496](#), [747](#)  
 Melvil, Lord, [404](#); Secretary of State for Scotland, [539](#); zealous for Presbytery, [539](#), [541](#), [545](#); holds a Parliament as Commissioner, [560](#); gives up the supremacy and the rights of patronage, *ib.*; advises an indemnity, [561](#); has Dalrymple joined to him in the Secretary's post, [667](#); is removed, [575](#)  
 Merci, Count, [843](#)  
 Meres, [300](#)



- Messenger brings preliminaries from France, 822
- Methuen, Lord, 9
- Methuen, Mr., his negotiations in Portugal, 694, 712, 718; concludes a treaty there, 730, 731, 756
- Mews, or Meaux, Bishop of Winchester, 383, and note
- Middlesex, Earl of, 687
- Middleton, 39
- Middleton, Earl of, 72, 75; Commissioner and General in Scotland, 75, 77, 78; passes the rescissory act, 80; inveterate against Argyle, 83; and Guthrie, 84, 85; disputes with the Earl of Crawford, 86; for episcopacy, 87, 94; for fines in the indemnity, 97; passes the incapacitating act, 98, 99, 100, 101, 102; accused by Lauderdale, 137; and turned out, 138, 139
- Middleton, Earl of, his son, Secretary of State for Scotland, 384; his advice to Paterson, 433, 435, 507; goes over to King James with a wise proposal, 598, 696, 747
- Militia, a bill to take it out of the Crown, 532, 645, 646
- Millington, Dr., 393, 477
- Milton, his famous poem, 107, and note
- Minas, Marquis das, 812
- Minorea taken by the British fleet, 831
- Mirandola, Princess of, 693
- Mitchell, his trial for the attempt on Sharp, 275
- Modena, Duchess of, 476
- Modena, Duke of, 693, 729
- Mohun, Lord, killed in a duel with Duke Hamilton, 892
- Monk, General, left to reduce Scotland, 38; desired to declare for the Parliament, 55; breaks open the gates of London, 57; declares for the secluded members, ib.; moves to restore the king without terms, 58; made Duke of Albemarle, and has the Garter, 66; his character, 66\*; he sends Argyle's letters to Scotland, 84, 112, 117; is Admiral against the Dutch, 154
- Monkton, Mr., a bold saying of his, 676
- Monmouth, Duke of, 176, 235, 290, 302, 312; sent to suppress the rebellion at Bothwell-Bridge, 313; his clemency, 314; sent beyond sea, ib.; returns and is disgraced, 316; pushes on the exclusion, 322; meets Lord Russell at Shepherd's, 352, 353; treats with the Scotch, 354, 357; escapes, 358, 360, 364; is pardoned, 373; and again disgraced; 374; meets the King at Lady Portsmouth's, 390; dismissed from Holland, 402, 403, 404; forced to an unripe invasion, 404, 405; lands at Lyme, 410; attainted by Parliament, ib.; defeated and taken, 412, 413, and notes; executed, 414; dies calmly, ib.
- Monmouth, Earl of (see MONMOUTH), made first Commissioner of the Treasury, 527; turned out, ib.
- Mons taken by the French, 567; taken by the English, 843
- Montague, Admiral, comes in to King Charles, 57; made Earl of Sandwich, and has the Garter, 66; blows up his own ship at Solbay, 215 and note
- Montagu, Lord, Ambassador at Paris, 224, 261, 273, 280, 291, 293, 302, 319, 322; is an earl, 293, and note
- Montague, Mr., Chancellor of the Exchequer, 588, 652; made Lord Halifax, 674. See HALIFAX.
- Montague, Sir James, Attorney-General, 856
- Montausier, Duke of, 367
- Monterey, 270
- Montespan, Madame, sent to a nunnery, 252
- Montgomery, Colonel, 37
- Montgomery, Sir James, his services to King William, 538; sent with the tender of the crown of Scotland, ib.; disgusted, ib.; enters into a plot, 545, 546; discovers it, but will not name his accomplices, 561
- Montgomery, Lord, 626
- Montjui, fort, taken, 776, 792
- Montrevel, Mareschal, his cruelty in the Cevennes, 733
- Montrose, Earl of, his brave undertaking, 34; is routed and his papers taken, 23, 24; his offers to the King, 34 and note; his constancy at his execution, 37
- Montrose, Marquis of, his son, 84
- Montrose, Marquis of, his son, for the Union, 805; made a Duke, ib.; opposes the Duke of Queensbury, 836
- Moore, Sir John, Lord Mayor, appoints North Sheriff, 347, 348
- Moor, Arthur, 898
- Mordaunt, Lord, 425, 495. See MONMOUTH
- More, Dr. Hen., 128 and note
- More, Dr., 307; Bishop of Norwich, 569; and of Ely, 817
- Morel of Berne, his account of a plot against King William, 581
- Morland, 43, 50
- Morley, made Bishop of Worcester, and of Winchester, 121; his character, 121\*; his account of the Duchess of York's religion, 207; his death and character, 382
- Morrice, Secretary, his character, 67 and note
- Moulin, du, 249, 252
- Mulgrave, Earl of, 635, 584, 586. See NORMANBY
- Murray, Earl of, 10, 13, 433
- Murray, Sir Robert, his character, 39, 88, 99; President of the Royal Society, 131, 163, 165, 166, 175, 177, 189, 191, 192, 196, 200, 240
- Murray, William, 39, 164
- Muscovy, Czar of, dangerous to the Turks, 629; his travels, 640; comes to England, ib.; his character, 655; Plots in Muscovy call him home, ib.; his wars with Sweden, 660, 675, 760, 807; defeats them at Pultowa, 844; makes peace with the Turks, 846; takes all Livonia, 859; war breaks out between him and the Turks, 858, 866; he is in great straits, 871, 872; reduces Finland, 895
- Musgrave, Sir Christopher, 589, 745

## N.

- NAIRN, Mr., his character, 146, 192, 196; refuses a bishoprick, 200
- Namur, taken by the French, 581; re-taken by King William, 615
- Naples, kingdom of, 809; reduced, 312
- Nassau, a prince of, 712, 730
- Needham, Dr., 393
- Nelthorp, 416
- Netherlands, Spanish, in a scheme for a Republic, 30; put into the Elector of Bavaria's hand, 574; the campaigns there, before the peace of Ryswick, 541, 554, 556, 570, 590, 601, 614, 628, 638; in the hands of France on the King of Spain's death, 675; campaigns there before the treaty of Utrecht, 712, 713, 728, 729, 752, 753, 772, 794, 809, 814, 827, 828, 829, 830, 831, 843, 866
- Neufchatel, its succession adjudged to the King of Prussia, 813
- Nevill, 43, 55
- Newburgh, Earl of, 97
- Newcastle, Duke of, Privy Seal, his caution in passing public accounts, 872
- Nicholas, Secretary, his character, 68 and note
- Nicholson, Sir Thomas, 37
- Nisbitt, Sir John, 191 and note
- Nithsdale, Earl of, 11
- Noailles, Duke de, 858
- Norfolk, Duke of, his repartee to King James, 435; the affair of his divorce, 600, 601
- Norfolk, Duchess of, 600, 637
- Normanby, Marquis of (see MUSGRAVE), heads the Tories, 271 and note, 706; made Duke of Buckingham, ib. See BUCKINGHAM
- Norris, Lord, 321
- North, Chief Justice, 323, 332 made Lord Guildford, 349, 386 his character, 424, 425
- North, Sheriff of London, 347
- Northampton, Marquis of, 600



Nortaeſy Sir Edward, 691  
 Northumberland, Earl of, 24, 25, 114, 698  
 Nottingham, Earl of, 270, 300, 306;  
   High Steward at Lord Stafford's trial, 324, 325, 327  
 Nottingham, Earl of, his son, attacks Lord Guildford, 425; meets at Lord Shrewsbury's, 452, 485; sent by King James to treat with the prince of Orange, 503, 509; for a Prince Regent, 514; made Secretary of State, 526; against declaring the acts of the Convention valid, but for enacting them, 548; brings in many Tories, 575; disputes with Admiral Russel, 580, 585; is dismissed, 598, 610, 698, 701; made Secretary of State by Queen Anne, 706, 726, 730, 747, 749, 750; resigns his employment, 752; opposes the Union, 802; is against Spain and the West Indies remaining in the house of Bourbon, 874, 875; carries the Occasional Bill, 876; for addressing the Queen to treat in concert with her allies, 877; opposes an enquiry into King William's grants, 888

## O.

OATES, Titus, his first discovery of the Popish plot, 282; at the Council, 282 and note, 283; his new discovery to the House of Commons, 285, 289, 290, 297, 298, 308, 309, 310, 311, 323, 324, 337, 359; imprisoned, convicted of perjury, and cruelly whipped, 383  
 Oaths, debates concerning them, 529, 530, 550, 584  
 Obrian, 183  
 Ogilby of Boyne, his commission to Queen Anne, 853  
 Onslow, Sir Richard, Speaker of the House of Commons, 834  
 Orange, William I., Prince of, frees the seven Provinces from Spain, and forms them into a Republic, 210  
 Orange, Maurice, Prince of, embroils Holland with the Arminian controversy, 5, 6; his quarrel with Barneveldt, 211  
 Orange, Henry-Frederick, Prince of, communicates a secret to England, 30; his wise government, 212  
 Orange, William-Henry, Prince of, his birth, 212; made General, 214; his character of De Witt, ib.; comes to England, 185; made Stadtholder, 217; his answer to the Duke of Buckingham, 218, 219; animates the States to a war, 220, 221, 227; made Hereditary Stadtholder, 243, 249; his conduct at the battle of Senef,

250; offers the French battle, 269, 270; comes to England, and marries Lady Mary, 273, and note; against the peace at Nimeguen, 280; beats Luxembourg, ib.; projects an alliance, 317, 319; his conferences with King Charles, 374, 385; dismisses the Duke of Monmouth, 401; keeps fair with King James, 403; invites Dr. Burnet to the Hague, 438, 439, 440, 441; his answer to D'Albeville's propositions, 451; his friends meet at the Earl of Shrewsbury's to concert measures, 452; Fagel's answers to Steward's Letters, 464, 465; his answer to Russel, 474; congratulates on the birth of the pretended Prince of Wales, 479; communicates his intended expedition to the Elector of Brandenburg, 481; Cologne affords a pretence for arming, 481, 482, 483; the States fit out a fleet, ib.; what English engaged, 484, 485, 486, 487; affairs in Germany favour the design, 490; the Dutch fleet at sea, 492; the Prince's declaration, ib., 493, 494, 495; it is amended, 495, 496; the fleet forced back, ib.; they return to sea, 499; land at Torbay, ib.; the Prince's behaviour, 500; proceeds to Exeter, ib.; many desert to him, 501; an association, 502; he is invited to Oxford, ib.; his answer to the Lords sent by King James, 504; the Privy Council invite him to London, 505; learns that King James was fled, 506; at Windsor that he was returned to Whitehall, 506, 507; sends him a message to remove, ib.; comes to London, 508; calls a Convention of Estates, 509; the Scotch declare for him, 510; Tyrconnel amuses him, 510, 511, 512; the Convention meets, 512, 513; their debates, 513, 514, 515; about the word Abdicate, 516; a motion for examining the birth of the pretended Prince of Wales, ib.; rejected, 517; other motions, ib.; the Prince's behaviour all this while, 518; it is carried to put the Prince and Princess jointly on the Throne, 519; protests in the House of Lords, ib.; the oaths altered, 522; the notion of a king de facto, and a King de jure, ib. See WILLIAM III.

Orange, Princess of, her letters to King James, 457, 458, 459; arrives in England, 523. See Queen Mary II.

Orford, Earl of (see Russel), 639, 652, 664, 689; is impeached by the Commons, 680, 681, 684; his answer, 684, 686; acquitted by the Lords, 688; his accounts

justified, 741, 818, 819; is at the head of the Admiralty, 846  
 Orkney, Earl of, 738, 754  
 Orleans, Duchess of, comes to England, 201, 202, 203; her death, 202, and note  
 Orleans, Duke of, 270, 273  
 Orleans, Duke of, his son, commands in Italy, 795, 797; commands in Spain, reduces Arragon and Valentia, 809; takes Lerida, 811; and Tortosa, 827; his scheme to set aside King Philip, 885  
 Ormond, Duke of, 63, and note  
 Ormond, Duke of, his son, 701, 706; his expedition to Cadiz and Vigo, 716, 717, 718; made lieutenant of Ireland, 723, 738, 739, 740; again made lieutenant of Ireland, 856; and captain-general, 881; has the same appointments that were voted criminal in the Duke of Marlborough, 886; concerts the campaign, 889, 891; proclaims a cessation and leaves the confederates, 890, 891; possesses Ghent and Bruges, ib.

Orrery, Earl of, 120, and note

Osborn, 169, 180, 232

Ossory, Lord, 222, 252

Ostervald, 813

Ottoboni, Pope Alexander VIII., his death, 566

Overall, Bishop, his book, 649

Overbury, Sir Thomas, 8

Owen, Dr., 54

Oxford and Mortimer, Earl of (see HARLEY), 866; has the garter, 892

Oxford, University of, invite the Prince of Orange, 502; sign the association, 506, 751

## P.

PAGE, Lord, ambassador at Constantinople, 582

Painevine, quits his post, 223; his execution, ib.

Palatine, Elector, 642, 643, 712, 760

Palatines, ten thousand come to England, 843; the inviting them over voted a crime, 863

Palmer, Earl of Castlemain, sent to Rome, 447

Papists, some of their books censured, 129; gently treated at the revolution, 533; divisions among them, 651, 659; an act giving away their estates, ib.; another act against them dropt, 788

Parker, Dr., Bishop of Oxford, 176, and note; is made president of Magdalen College, 445; his death, 468

Parker, Sir Thomas, shines at Sacheverell's trial, 848; made chief justice in Holt's room 850



Parker, in a design to assassinate King William, [581](#), [626](#)

Parliament, English, their treaty with Charles I., [27](#); dispute with the army, [51](#), [55](#); the secluded members return, [57](#); a convention called, [58](#); recall the king, *ib.*; the indemnity, [108](#); the act of uniformity, [125](#), [135](#); two millions and a half granted to the Dutch war, [147](#), [148](#); meet at Oxford, [151](#); the act called the Five-mile Act, [152](#), and note; the act for rebuilding London, [176](#); the committee at Brook House, [181](#); some members corrupted, [182](#); the Coventry Act, [184](#); a new Test Act, [229](#), [230](#); the king's declaration for toleration debated in the House of Lords, [230](#); the Commons oppose the Duke of York's marriage, [239](#); prorogued, *ib.*; resolve to force a peace with Holland, [243](#); examine Dr. Burnet, [252](#), [253](#); attack Danby, [254](#); debates about the test, [255](#); and between the two houses, [257](#); a new session, *ib.*; characters of some leading men, [258](#), [259](#); a long interval of parliament, [260](#); a dissolution projected, [262](#); a prorogation disputed, [267](#); the movers of that sent to the Tower, [268](#); a large sum for building ships, [269](#); they press a war with France, [271](#); a new session, [274](#); the commons' address against the ministers, [279](#); a test against popery, [289](#); a militia bill, [290](#); Danby impeached of high treason, [292](#); the lords will not commit him, *ib.*; the parliament dissolved, [294](#); a new parliament, [300](#); prosecutes Danby, notwithstanding the king's pardon, [301](#); debates concerning the exclusion, [302](#), [303](#), [304](#), [305](#); the parliament dissolved, [306](#); the question of bishops voting in trials for treason, [307](#); a new parliament, [318](#); the bill of Exclusion passed by the commons rejected by the lords, [81](#), [82](#), [319](#), [320](#); votes of association to revenge the king's death, [321](#); limitations on the Duke of York rejected, [322](#); the Lord Strafford's trial, [323](#), [324](#); he is condemned, [325](#); and executed, [326](#); motions in favour of nonconformists, *ib.*; a new parliament at Oxford, [327](#), [328](#); go upon the exclusion, and dissolved, [328](#), [370](#); King James II., his parliament, [402](#), [409](#); grant the civil list for life, *ib.*; a bill to make words treason, *ib.*; act of attainder of the Duke of Monmouth, [410](#); a new session, [424](#); the commons address for observing the test, [425](#); the parliament prorogued, [426](#); and

dissolved, [454](#); a convention called, [509](#), [512](#); debates there, [512](#)—[518](#); declare the prince and Princess of Orange king and queen, and pass a claim of rights, [518](#)—[522](#), and notes, [520](#) and [521](#); offer them the crown, [523](#); the convention turned into a parliament, [524](#); an act for taking the oaths, [530](#); act for toleration, *ib.*; supplies given against France, [531](#); civil list for a year, [532](#); chimney money is discharged, *ib.*; [600,000\*l.\*](#) given to the States, [533](#); an indemnity dropped, *ib.*; the bill of rights, [33](#), [533](#), [534](#); [100,000\*l.\*](#) given to Duke Schomberg, [536](#); supplies for reducing Ireland, [546](#); civil list again for a year, *ib.*; a Corporation Act passed both houses, refused the royal assent, [547](#); a new parliament, [548](#); an act declaring and making the acts of the convention valid, *ib.*; members corrupted, [549](#); civil list for five years, *ib.*; debates about an abjuration of King James dropped by the king's desire, [550](#); supplies on remote funds, [549](#); a new session, [562](#); grant four millions, *ib.*; name commissioners of public accounts, [562](#); act of attainder of the rebels in Ireland, [563](#); an act vesting lord high admiral's power in commissioners of Admiralty, [564](#); the Princess of Denmark's revenue made [50,000\*l.\*](#) a year, [578](#); the ministry indemnified for breaking the Habeas Corpus Act, [562](#), [585](#); abjuration of King James rejected, [585](#); supplies on remote funds, *ib.*; a committee of both houses during the recess proposed, [586](#); a self-denying bill passed the House of Commons, rejected by the Lords, [586](#); the Triennial Act, passed both houses, refused the royal assent, [586](#), [567](#); a new session grant the supplies, [592](#); examine the conduct of the Admiralty, [599](#), [600](#); a new session, [604](#); grant five millions, and pass the act for triennial parliaments, *ib.*; both houses address on Queen Mary's death, [608](#); and attend her funeral, *ib.*; a bill for trials of treasons passed the Commons lost in the House of Lords, [608](#), [609](#); attempts against the bank, [610](#); Trevor expelled, *ib.*; enquiries into bribes given by the East India Company, [611](#); an act against Sir Thomas Cook and others, *ib.*; a new parliament, [619](#); rectify the coin by recoin-ing all in milled money, [619](#), [621](#); the act for trials of treasons, [620](#); and for regulating elections, *ib.*; complain of the Scotch act for an Indian trade,

*ib.*; a motion to appoint a council of trade in parliament, [621](#); the Assassination and Invasion Plot laid before both houses, [624](#); their association signed all over England, *ib.*; a land-bank erected, but failed, [625](#); a new session, [630](#); provide for ten million deficiencies, and grant five millions for the year, [631](#); a bill of attainder against Sir John Fenwick, [632](#), [633](#), [634](#), [635](#), [636](#); practices as to his discoveries examined, [636](#), [637](#); a new session, [640](#); reduce the army to ten thousand men, [646](#); grant the Civil List for life, *ib.*; establish a new East India Company, [647](#); a new parliament, [652](#); reduce the army to seven thousand men, all natives, [653](#) and note; enquire into grants of forfeited estates in Ireland, [654](#); appoint commissioners to enquire, *ib.*; a severe act against Papists, [659](#); Lord Somers attacked in the House of Commons, [665](#); acquitted by a great majority, [666](#); a motion to remove Dr. Burnet from the Duke of Gloucester lost by a great majority, [663](#); report of the commissioners of enquiry into the grants in Ireland, [664](#); the grants are set aside, and trustees appointed for selling the estates and determining claims, [664](#), [665](#); debates concerning the Bishop of St. David's, [671](#); a new parliament, [673](#); a French party there, [675](#), [676](#); the Commons address, *ib.*; partiality in judging elections, *ib.*; provide for thirty thousand seamen, *ib.*; debates in the House of Lords about the Partition Treaty, [677](#); the Lords' address, [678](#); a second address, *ib.*; the Commons addresses, *ib.*; vote ten thousand men, and twenty men of war to assist the Dutch, *ib.*; debates in the House of Commons about the Partition Treaty, [679](#), [680](#); they impeach some Lords concerned in it, [683](#), [684](#); contrary addresses of the two houses, [681](#); the act of succession passed, [683](#), [684](#); an act limiting the privilege of parliament, *ib.*; proceedings in the impeachments, [684](#), [685](#); the Kentish Petition, [686](#); the petitioners imprisoned, [686](#) and note; disputes between the two houses about the impeachments, [686](#), [687](#); the Commons not appearing, the impeached Lords are acquitted, [688](#); a new parliament, [697](#); for a war, [698](#); attain the pretended Prince of Wales, [698](#), [699](#); an act for abjuring him, [698](#), [699](#), [700](#), addresses of both houses to Queen Anne, [704](#); commissioners for public accounts,



705; the union proposed, 707; the report of designs to set aside the queen voted false, *ib.*; a new parliament, 719; partiality in judging elections, *ib.*; supplies for the war, 720; a bill against occasional conformity passed by the Commons, *ib.*; lost by an alteration of the fines in the House of Lords, 721; an act settling 100,000*l.* a year on Prince George, 722; a further act to establish the succession, 723; Rook's conduct examined and justified, *ib.*; enquiry into Lord Ranelagh's accounts, 724; the Commons address charging frauds, *ib.*; answered by the Lords, 725; a new session, 740; the Occasional Bill passed the Commons, rejected by the Lords, 740, 741; supplies for the war, 741; Lord Orford's accounts are justified by the Lords, *ib.*; commissioners of public accounts not continued, 742; the affair of Aylesbury creates a dispute between the two houses, 742, 743, 744; an act for augmentation of poor livings, 745, 746; the Lords examine into Macclean's Plot, 747, 748, 749, 750; the Commons address, 747; the Lords counter address, 748, 750; their opinion concerning the Plot, *ib.*; an act for raising recruits, *ib.*; the Lords address about justices of peace, 751; a new session. Supplies for the war, 764; the tack of the Occasional-bill to a Money-bill lost, *ib.*; an act declaring the Scots aliens, 765; the Occasional-bill thrown out by the Lords, 766, 767; the Commons imprisoned the Aylesbury men, 768; they are remanded by the Queen's Bench on their Habeas Corpus, *ib.*; sue a writ of error in the House of Lords, 769; Commons address the queen not to grant it, *ib.*; counter address of the Lords, *ib.*; several bills not passed, 769, 770; a new parliament, 781; great partiality in judging elections, *ib.*; debates about bringing over the next successor, 781, 782; a bill for a regency, 782, 783, 784; some offices excluded the House of Commons, 784, 785; both houses address concerning the danger of the church, 785, 786; repeal the act declaring the Scots aliens, *ib.*; act for amendment of the law, 787; a new session, agree to the articles of union with Scotland, 801; an act of union, 803, 804; supplies for the war, 805; the parliament revived by proclamation, 805, 818; the Lords enquire into the conduct of the Admiralty, 818, 819; their ad-

dress upon it, 819; they enquire into the conduct in Spain, 820; an act to encourage captors of prizes, *ib.*; the Lords enquire into the correspondence with France, 822; their address, 823; the privy council in Scotland taken away, *ib.*; the parliament support the queen upon the Scotch invasion, 825; a new parliament, 834; great partiality in judging elections, *ib.*; a Scotch peer made a British peer cannot vote for the sixteen, 835; an act making treasons and the trial of them the same in Scotland as here, 836, 837, 838; an act of grace, 839; the bank fund enlarged, 838, 839; a new session. Supplies for the war, 846; Dr. Sacheverel impeached, 848, 849, 850; debates in the Lords, 850, 851, 852; found guilty, but gently punished, 852; the parliament dissolved, 857; a new parliament, 859; supplies for the war, *ib.*; the Lords enquire into the conduct in Spain, 859, 860; censure the old ministry for it, 860, 861; the Commons expel a member for frauds, 862; vote the persons who invited over the Palatines public enemies, 863; their repeal of the Naturalization Act rejected by the Lords, *ib.*; an act for qualifying members, *ib.*; another for importing French wine, 864; a design against King William's grants miscarries, 865; the Commons vote thirty-five millions to be unaccounted for, *ib.*; an act for fifty new churches, 866; and for a South Sea company, 889; the Commons' address, *ib.*; a new session, 874; the Lords' address against leaving Spain and the West Indies to the House of Bourbon, 875; the Commons' address, *ib.*; the Occasional Bill passed without opposition, 876; Duke Hamilton's patent as Duke of Brandon determined to give him no seat in the House of Lords, 877; an act of precedence to all the House of Hanover, 877, 879; the Lords address to treat in concert with our allies, 877; twelve new peers, 878; addresses on the peace, 879; an expedient to quiet the Scots, 880; Mr. Walpole's case and censure, *ib.*; the Duke of Marlborough attacked, and some hard votes against him, *ib.*; episcopacy tolerated in Scotland, the Presbyterians to take the abjuration there, 881, 882; an act restoring patronages there, 882; the Commons vote the advisers of the Barrier Treaty public enemies, 883; and that England had been over charged

nineteen millions in the war, 884; they punish the printer of the States Memorial, *ib.*; the Self-denying bill lost in the House of Lords, *ib.*; an enquiry into the conferences at Gertruydenberg dropped, 889; protests of the Lords expunged, 889, 890; seven prorogations, 894; a new session, 895; addresses on the peace, *ib.*; supplies, the Malt-tax extended to Scotland, 897; motion to dissolve the union, *ib.*; bill to render the treaty of commerce with France effectual, 898; thrown out by a small majority, *ib.*; an act for mortgaging part of the Civil List to pay a debt on it of 500,000*l.*, 901; both houses address to remove the Pretender from Lorrain, 902

Parliament, Scotch, declare the prerogative in 1633, 11; pass an Indemnity, 26; meet after the Restoration, 77; grant 40,000*l.* additional revenue for life to King Charles, 78; the Act rescinding all Acts of Parliament since 1633, 80; an Act for keeping the 29th of May, 81; a new Session. Episcopacy restored, 94; the oath of Supremacy, 95, 96; the Covenant abjured, *ib.*; the unheard of severity against Lord Lorn, 98; a committee for setting Fines, *ib.*; the Incapacitating Act, 99; Rights of Patronage restored, 100; Presbyterian Ministers turned out, 100, 101; a character of them, 102, 103; and of the new ones, 103; a new session. Warristoun executed, 139; an act against Conventicles, 140; and regulating a national Synod, *ib.*; Customs left to the King, *ib.*; an act offering an Army to march where the King should command, *ib.*; the Parliament dissolved, *ib.*; a new one, 195; an act for the Supremacy, another for the Militia, 192; severe acts against Conventicles, 196; a new Session, 224; another Session, 240; complaints of Lauderdale, 240, 241; the Parliament prorogued, 245; a Convention of Estates give money, 279, 312; the Duke of York goes to Scotland, 316, 338; an Act against Popery, *ib.*; some accusations of perjury suppressed, 339; a new test, 340; the Protestant religion how defined, 341; the Parliament dissolved, *ib.*; many turned out for refusing the test, *ib.*; a new Parliament in King James the Second's reign, 407; grant all that is asked, 408; they will not take off the penal Laws, 433; are dissolved, *ib.*; a Convention meet after the Revolution, 537; Duke Hamilton chosen President, they pass a sen-



- tence of forfeiture on King James, ib.; declare King William and Queen Mary King and Queen of Scotland, 538; in their claim of rights insert the abolishing Episcopacy, ib.; a petition of grievances to be tendered with the Crown, ib.; the Convention turned into a Parliament, 539; some high demands, they are pro-rogued, 540; an Act taking away the Supremacy and the right of Patronages, 560; Presbytery established, Chimney-money granted, an oath renouncing King James, 561, 562; a reconciling Session held by Duke Hamilton, 597; they empower the King to protect the Episcopal Clergy, 597, 618; the Marquis of Tweedale Commissioner, 617; they examine into the affair of Glencoe, ib.; an Act for a new company trading to the East and West Indies, 618; the project of Darien, ib.; it is voted a national concern, 662; the Duke of Queensbury Commissioner, ib.; many angry votes about Darien, 662, 709, 710, 711; a new Parliament in 1703, 736; the Duke of Queensbury Commissioner, ib.; made Treason to attempt an alteration in the Church Government, ib.; debates about the Succession, ib.; an Act for a Commerce with France, 734, 737; they give no Supply, 737; the Settlement in 1641, offered them to enact the Succession, 761; the Marquis of Tweedale Commissioner, ib.; refuse the Succession till after an Union with England, 762; their Successor to be different, ib.; the Act for that purpose tacked to a Money bill, 762; passed by the Queen, 763; the Duke of Argyll Commissioner, 766, 780; an Act for a Treaty of Union, ib.; the Articles debated in Parliament, 799, 800; and agreed to, 801
- Parma, Prince of, 208  
 Parma, Duke of, 693  
 Paterson, Bishop, 195, 196, 340, 433, 434, 560  
 Paterson, Projector of the expedition to Darien, 618, 621  
 Patrick, Bishop, his character, 130 and note; he is made Bishop of Ely, 568; his death, 817  
 Payne, Nevil, agent for King James, 545; is engaged in a plot, ib.; resists a double torture in Scotland, 561; his examination in Parliament is dropped, 597  
 Pearson, Bishop, his death and character, 442 and note  
 Pemberton, 330 and note  
 Pembroke, Earl of, 506; his character, 641 and note; first Plenipotentiary at Ryswick, ib. 678; made Lord High Admiral, 706, 733; Lord Lieutenant of Ireland, and President of the Council, 834; again made Lord High Admiral, ib.; resigns that post, but refuses a pension, 846  
 Pen, 148, 416, 417, 441, 463, 564, 565  
 Pendergras, his discovery of the Assassination plot, 622, 623, 624  
 Pepys, 396  
 Percy, Lord, 62  
 Perkins, Sir William, knows of the Assassination plot, 626; is in that of an Invasion, ib.; receives absolution at Tyburn, 627  
 Perth, Lord, 278, 343; made Chancellor of Scotland, 378; cruel in torturing, 378, 379, 380, 408; turns Papist, 418; has a Chapel for Mass, 432; is imprisoned, 510  
 Peterborough, Lord, 384, 391  
 Peterborough, Earl of (see MOWMOUTH and MORDAUNT), commands in Spain, 775, 776, 777, 790, 792, 794, 820; sent Ambassador to Vienna, 859; his conduct in Spain approved by the House of Lords, 860, 861  
 Peters, Hugh, 107 and note  
 Petre made a Lieutenant-General, 285  
 Petre, Father, 429 and note; a Privy Counsellor, 464, 465, 468  
 Pettecum, 854  
 Philip II. King of Spain, 208  
 Philip V. King of Spain (see ANJOU), settled on that throne, 672; marries the Duke of Savoy's daughter, 682, 693, 694, 696; goes over to Italy, 715; campaign there, ib.; his campaign against Portugal, 757; he quits Madrid, 793; returns thither, 794; reduces Valencia and Arragon, 802; his son acknowledged by the Cortes, 841; the French troops leave him, 854; he protests against the treaty at the Hague, ib.; loses the battle of Almanara, 857, 858; renounces his right of succession to the crown of France, 892  
 Phipps, Sir Constantine, counsel for Sacheverel, 848  
 Piedmont, campaigns there, 683, 590, 616, 759, 774, 791, 796, 797  
 Pierce, Mrs., 498  
 Pierpoint, 27, 181  
 Pignatelli, Pope Innocent XII., 566, 628  
 Pilkington severely fined, 351  
 Pique, his character, 368  
 Plague of London, 148  
 Plot, the Popish, 281 to 290; reflections on it, 299  
 Plot, Montgomery's, 545, 546, 561  
 Plot, Assassination, 556, 557, 580, 613, 622 to 627  
 Plot, Protestant, 332  
 Plunket, an Irish Bishop, tried and executed, 331 and note  
 Plymouth, garrison declare for the Prince of Orange, 503  
 Plymouth, Earl of, 683  
 Pointy, French Admiral, 771  
 Poland. See AUGUSTUS, SOBIESKI, STANISLAUS  
 Polignac, Abbé, 855  
 Pollexfen, 306 and note; Counsel for the City Charter, 349, 350  
 Pompos, 204, 261  
 Pontchartrain, 622  
 Pool, Mat., 206, 207 \*  
 Pope Innocent, his character, 448, 449; his disputes with France, 449; succeeded by Alexander VIII. an enemy to France, 566; succeeded by Innocent XII., ib. 628; and he by Clement XI., 672; who is in the French interest, ib. 679, 682, 692, 696, 712, 760; threatens the Emperor and arms, 831; is forced to submit, 832; and own King Charles of Spain, 844  
 Popoli, Duke de, 776  
 Porter, Chancellor of Ireland, 419, 619  
 Porter, in the Assassination Plot, 622, 624; many tried and convicted on his evidence, 625, 626, 627; he discovers practices on him, 632  
 Portland, Earl of (see BRINTON), made Groom of the Stole, 527, and note 545; the Assassination Plot discovered to him, 622, 637; his private negotiation with Boufflers, 642; Ambassador in France, 656; resigns his place of Groom of the Stole, 657, 662; negotiates the Partition Treaties, 677, 679; is impeached, but not prosecuted, 680, 685, 688, 700, 701, 703  
 Portocarrero, Cardinal, 672  
 Portsmouth, Duchess of, 224, 252, 261; for the exclusion, 289; why, 322, 349, 362, 384; a new scheme concerted at her lodgings, 390, 391; attends the King in his last illness, 392; her account of his death, 394 and note  
 Portugal, Peter King of, enters into the French Alliance, 694; is neutral in the war, 712; enters into the Grand Alliance, his treaty with England, 730, 731; campaigns on his frontier, 757, 777, 791; his death, 889  
 Portugal, John V., King of, firm to his father's treaties, ib.; marries the emperor's sister, 811; great riches from America, 839, 897; campaigns on his frontier, 827, 842, 858; agrees to the treaty at Utrecht, 896  
 Powel, Judge, his opinion in the trial of the seven Bishops, 470; and in the affair of Aylesbury, 743  
 Powis, Lord, 285, 298  
 Powis, Countess of, 315, 477  
 Powis made Solicitor-General and Attorney-General, 427, 468



Powle, 260, 281  
 Poulet, Earl of, 856, 892  
 France discovers Godfrey's murder, 295, 296  
 Presbyterians, English, against King Charles's murder, 28; an Union with them proposed at the Restoration, 121, 207; and a comprehension at the Revolution, 542, 543; does not succeed, 543, 544; divisions among them, 669  
 Presbyterians, Scotch, discontented, 79, 81, 95; refuse the oath of Supremacy, 96; silenced, 100; their character, 102; their discipline, *ib.*; an accommodation with them treated, 185, 186, 188; rejected by them, 197; Conferences thereon, 197, 198; the fury of the Cargillites and Cameronians, 337, 338; the Presbyterians insolent to the episcopal clergy, 510; their fury at the Revolution, 541, 542, 561; alienated from King William, 575; reconciled to him, 597; are provoked again, 598; methods taken in 1712 to incense them, 881, 882  
 Presbytery new-modelled in Scotland, 20; their leaders, 20, 21; their general assembly oppose the Parliament, 26; they raise the Whiggamore insurrection, *ib.*; Divisions among them, 36, 40, 41; Presbyteries prohibited, 93; Presbytery established in Scotland, 538, 561, 736; made unalterable at the Union, 800  
 Preston, Dr, 10 and note  
 Preston, Lord, 201, 409; made Secretary of State, 497; seized going over to France, 564; tried, condemned and pardoned, 565  
 Pretender, the, owned by France, 696; by the Pope, Savoy and Spain, *ib.*; is attainted, 698; an oath abjuring him, 698, 700; a plot in Scotland for him, 748, 749, 750; his expedition from Dunkirk thither, 824, 825; his campaign in Flanders, 826; called first the Pretender in the Queen's speech, *ib.*; his Sister's death and character, 886; he removes to Bar-le-duc, 902; Addresses to remove him thence, *ib.*  
 Primrose, H. 15, 75; Clerk-Register, 75, 77; Draws the Prerogative Acts, 79; and the rescissory Act, 80, 82, 275, 276  
 Princess-Royal, her death, 116 and note  
 Princess Anne. See DENMARK.  
 Prince George. See DENMARK.  
 Prior, Matthew, 872 and note  
 Protestant religion, its first crisis, 208; second crisis, *ib.*; third crisis, *ib.* 210; fourth crisis, 214; fifth crisis, 420  
 Prussia, King of, (see BRANDENBURGH), 711, 712; judged Prince of Neufchatel, 813; France own

his regal title, 841; his death and character, 895

Puritans, 2

Pyrenees, treaty of the, how observed by France, 841, 842

## Q.

Quakers' behaviour on prosecutions, 184; divisions among them, 670  
 Queen Anne, (see DENMARK), proclaimed, 704; her speech to the Council, *ib.*; and to Parliament, *ib.*; pursues King William's alliances, *ib.*; her Ministry, 705, 706; the Princess Sophia prayed for, 705, 707; proclaims war with France, 707; false reports of designs to set her aside, 699, 707; takes the Scotch coronation oath, 709; her arms successful, 718; creates five new Peers, 726; her reception of King Charles of Spain, 732; a Plot against her discovered, 737; she revives the Order of the Thistle, 733 and note; Jealousies of her Ministry, 740; she grants the First Fruits and Tenths to the poor Clergy, 744, 745 and note, 746; Maclean's discoveries of the Plot, 746, 747, 748, 749; she passes the Scotch act for a different successor than that of England, 763; her reasons, *ib.*; comes to hear the Debates in the House of Lords, 766; changes the Scotch Ministry, 779; public credit high, 787; assists Savoy, 791; appoints Commissioners to treat of an Union with Scotland, 805; her private favour to Harley, 816; some promotions in the Church, 816, 817, 819, 820; turns Harley out unwillingly, 822; calls the Pretended Prince of Wales the Pretender, 826; her tender care of Prince George, 833; she takes in more Whigs, 834; appoints Plenipotentiaries to treat of peace, 841, 842, 843; Books wrote against her title, 847; secretly favours Dr. Sacheverel, 850, 851; her speech at the end of that Session, 852; negotiations for peace, 854, 855; changes her Ministry, 856; dissolves the Parliament, *ib.*; her speech, 859, 861; sends Earl Rivers to Hanover, 873; her speech, 874; creates Duke Hamilton Duke of Brandon, 876; turns out the Duke of Marlborough, 878; makes twelve new Peers, *ib.*; her message to the Lords to adjourn, disputed, but obeyed, *ib.*; her message about the peace, 879; orders the Duke of Marlborough to be sued for money received by her warrant, 881; does not confirm the Convocation's censure of Whiston, 887; orders the Duke of

Ormond not to act offensively, 889; lays the plan of peace before both houses, 890; Dunkirk put into her hand to be demolished, 891; is possessed in a precarious manner, 894; she ratifies the treaties of Peace and Commerce, 896; her answer to the Commons' address, 898; a Debt of 500,000*l.* on the Civil List paid off, 901; her speech, 802; reflections upon it, 903

Queen Catherine of Charles II., 177, 259

Queen (Christina) of Sweden, her character of Popes, 449, 642

Queen Elizabeth, 3, 210

Queen Mary, wife of King James II. went to Bath, 476; the mysterious management of her supposed child-birth, 476, 477, 478; went to France, 504; engaged King James to follow her, 509; her correspondence in England, 564; her bold repartee to the King of France, 644; is attainted by bill, 698

Queen Mary II. joint Sovereign with King William III. (see ORANGE), 525; made so of Scotland, 538; the administration in her during the King's absence, 549; her tenderness for King James, 552; her government, 552, 553; her Council, 553; a misunderstanding with the Princess of Denmark, 578; her care of the morals of the people, 584; her management of church affairs, 595, 596; her illness, 606; her death and character, 606, 607; a reconciling message passed between her and her sister, 613

Queen Mother of France, 18 and note, 162

Queen of Poland's intrigues, 385, 640

Queen of Scots, 209

Queensbury, Earl of, 377; made a Marquis and Duke, 407; his scheme, *ib.*; gets the better of the Earl of Perth, 418; is disgraced and in danger, *ib.* 432, 433; his death and character, 613

Queensbury, Duke of, his son, has the Garter, 644, 710, 737; he discovers a plot, 736, 737, 738 and note, 746; is dismissed, but screened by an artifice, 761, 763; again employed, 780; fearful of the Union, 801; made Duke of Dover, 835, 876; is Secretary of State, 835

Quota, settled between England and Holland, 567

## R.

RADNOR, Earl of, 384

Ragotz, Prince, 729, 759, 807

Raleigh, Sir Walter, 8

Ranillies, battle of, 794, 795



- Ranelagh, Earl of, [180](#), [265](#), [724](#) and note, [742](#)
- Rapparees plunder Ireland, [560](#), and note, [562](#)
- Ratcliff, [285](#)
- Ratcliff, Dr., [606](#) and note
- Reading, tries to discredit the evidences of the Popish Plot, [298](#)
- Rebellion, in the West of Scotland, [158](#); and at Bothwell Bridge, [313](#)
- Reformation of manners, societies for it, [709](#)
- Regicides, [165](#)
- Reinschild, [778](#)
- Reynolds, made Bishop of Norwich, [125](#)
- Retz, Cardinal de, [48](#), [133](#)
- Rheims, Archbishop of, his character, [367](#), [390](#)
- Rich, Sheriff, [348](#)
- Richelieu, Cardinal, [29](#)
- Richmond, Duke of, [97](#), [99](#), [169](#), [203](#)
- Ritondella taken by the Duke of Ormold, [718](#)
- Rivers, Earl of, sent to Spain, [796](#); Ambassador to Hanover, [874](#); made Master of the Ordnance, [881](#)
- Roberts, Mrs., one of King Charles's mistresses, [178](#), [333](#)
- Robinson, Dr., Envoy in Sweden, [844](#), and note; character of the King, [845](#); made Bishop of Bristol, Privy Seal, and Plenipotentiary to Utrecht, [872](#); declares the Queen disengaged from her Alliances, [889](#); made Bishop of London, [902](#)
- Rochelle, the siege of, [29](#)
- Rochester, Laurence Hyde, Earl of, his character, [170](#), and note; in the Treasury, [302](#), [317](#), [320](#), [341](#); charged with bribery, [348](#), [349](#); is President of the Council, [384](#); and Lieutenant of Ireland, [389](#); made Lord Treasurer, [400](#); and one of the Ecclesiastical Commission, [432](#); his conference about religion, [435](#); loses the white staff, [436](#); for a Prince Regent, [513](#); reconciled to the King and Queen by Dr. Burnet's means, [593](#); opposes the Court, [600](#), [608](#), [625](#); made Lieutenant of Ireland, [673](#), [674](#); loses ground with the King, [689](#), [695](#); goes over to Ireland, his conduct there, *ib.*; continued in that post by Queen Anne, [706](#), [711](#); resigns it, [723](#), [738](#), [741](#); proposes bringing over the Princess Sophia, [768](#); opposes the Regency Bill, [784](#); and the Union, [802](#), [819](#), [839](#); is made President of the Council, [856](#)
- Rochester, Wilmot, Earl of, his character, [179](#) and note
- Rodolph, Emperor, [5](#)
- Rohan, Duke de, [29](#)
- Rook, Sir George, his success at La Hogue, [579](#); convoys the Smyrna fleet, and escapes with one of them, [592](#), [593](#); commands a squadron at Cadiz, [621](#); commands another sent to the Baltic, [667](#); commands a squadron to Cadiz, [716](#); takes and destroys the galleons at Vigo, [717](#), [718](#); his conduct approved by Parliament, [723](#), [734](#), [756](#); takes Gibraltar, [757](#); fights the Count de Toulouse, [758](#)
- Rookwood executed for the Assassination-plot, [627](#)
- Roos, Lord, his divorce, [177](#), [600](#)
- Rosewell, his trial, [387](#)
- Ross, Dr., Archbishop of Glasgow, [191](#), [382](#), [433](#)
- Rothes, Earl of, opposes the Prerogative Act, *11.* [12](#), [13](#); is gained by King Charles, [17](#); his character, [71](#), and note; President of the Council in Scotland, [75](#), [81](#); dissolves the Synod at Fife, [81](#), [82](#); is King's Commissioner, [139](#), [143](#); his conduct, *ib.*; severe to the prisoners, [159](#); made Lord Chancellor, [163](#), [195](#), [275](#), [276](#)
- Rothes, Earl of, instrumental to the Union, [800](#)
- Roucy, Marquis de, [49](#)
- Rouille, President, sent to negotiate at the Hague, [840](#)
- Rouvigny, [243](#), [261](#), [281](#), [367](#), [396](#), [401](#), [420](#)
- Rouvigny, his son, made Earl of Galway, [572](#). See GALWAY.
- Rowse, his execution, [364](#)
- Roxburgh, Earl of, for the Union, [800](#); made a Duke, [805](#); opposes the Duke of Queensbury, [836](#)
- Royal Society, [132](#), [788](#), [789](#)
- Rumbold, [356](#), [374](#), [406](#)
- Rumney, Earl of (see SYDNEY), [528](#); is sent Lord Lieutenant to Ireland, [596](#); is recalled, *ib.*, [663](#)
- Rumsey, [352](#), [355](#), [356](#), [357](#), [358](#), [359](#), [361](#), [364](#), [371](#), [374](#), [375](#), [417](#)
- Rupert, Prince, saves the English fleet, [154](#), [233](#)
- Russel, Lord, his character, [259](#) and note; moves the Exclusion, [319](#), [325](#), [335](#); meets the Duke of Monmouth at Shephard's, [352](#), [324](#); imprisoned, [358](#); his behaviour, [359](#); examined by a Committee of Council, [360](#), [361](#); his trial and condemnation, [362](#); his preparation for death, [363](#); his execution and dying speech, [364](#), [365](#) and note
- Russell, Admiral, meets at Lord Shrewsbury's, [452](#); goes to the Hague, [474](#); his character, [485](#), and note, [486](#), [495](#), [499](#); commands the fleet, [555](#); obtains a great victory at La Hogue, [570](#), [578](#); is turned out, [585](#); again at the head of the fleet, [598](#); sent into the Mediterranean, [602](#); winters at Cadiz, *ib.*; returns to the Mediterranean, [616](#), [621](#); disappoints the invasion in 1696, is made Earl of Orford, [632](#). See ORFORD
- Russell, Mr., Lord Russell's brother, [501](#)
- Rutherford, [21](#)
- Ryswick, treaty of, [641](#), [642](#), [643](#)

S.

- SACHSEVERELL, Dr., his two famous sermons, [846](#), [847](#) and note; he is impeached for them, and grows popular upon it, [848](#), [849](#); tried in Westminster Hall, *ib.*; his defence, *ib.*; his trial occasions riots, *ib.*; he is condemned by the Lords, but gently punished, [851](#); his progress into Wales, [856](#)
- Saint Amour, his character, [368](#)
- St. Germain, [263](#)
- St. John, [44](#)
- St. John, [817](#); Secretary of war, lays down with Harley, [822](#); made Secretary of State, [856](#) and note, [875](#); and Viscount Bolingbroke, [892](#). See BOLINGBROKE
- St. Mary's plundered by the English, [716](#)
- St. Ruth, Mareschal, commands for King James in Ireland, [571](#); is killed at the battle of Aghrem, *ib.*
- Sancroft, Dr., [125](#); made Archbishop of Canterbury, [262](#); attends King Charles II. on his death-bed, [392](#); is one of the Ecclesiastical Commission, [431](#), [443](#); joins in the petition of the seven Bishops, [467](#); met with the Privy Counsellors that invited the Prince of Orange, [505](#), [509](#); absents from the Convention, [513](#); and from Parliament, [528](#); his conduct, [529](#); his death and character, [605](#)
- Sanders, [349](#); Chief Justice, [351](#) and note; his judgment of the City Charter, [637](#)
- Sands, [183](#)
- Sardinia taken by the English fleet, [831](#)
- Sarsfield cuts off a convoy to King William, [558](#); memorable saying of his in honour of the King, [572](#)
- Savil, Lord, his forgery, [16](#) and note
- Savoy, Duke of, in the alliance against France, [562](#), [583](#); in a secret treaty with France, [601](#), [616](#), [628](#); reasons that induced him, *ib.*, [733](#); joins to drive the Germans out of Italy, [629](#), [642](#); a scheme for giving him the Spanish succession, [656](#); marries a daughter, to the Duke of Burgundy, [629](#); another to King Philip of Spain, [693](#), [696](#), [715](#); comes into the alliance against France, [732](#), [733](#); his danger and distress, [733](#), [754](#), [757](#); loses almost all his country, [754](#), [759](#); the Queen assists him, [791](#); he with Prince Eugene raises the siege of

P P



Turin, 797; besieges Toulon, 810; raises the siege, 827; recovers all Savoy, 827; takes Exiles and Fenestrella, 832, 842, 870; agrees to the treaty of Utrecht, 895  
 Savoy conference, 122, 123  
 Sawyer, Attorney General, 349 and note  
 Saxe-Gotha, Duke of, 694, 711  
 Saxony, Duke of, 5  
 Saxony, Elector of, chosen King of Poland, 98, 582. See AUGUSTUS  
 Scarborough, Dr., 476  
 Schomberg, Count, his discourse with King Charles II., 117; sent to command the English, 228 and note; weary of that post, 233; made a Mareschal of France, 270, 368; quits the French and Portuguese service, 491; is in that of Prussia, 493, 498, 499; made a Duke in England with a present of 100,000*l.* from Parliament, 536; goes to Ireland, *ib.*; is killed in the battle of the Boyne, 554, 842  
 Schomberg, Duke, his son, commands in Savoy, 574; and in Portugal, 757  
 Scio, island of, taken by the Venetians, but abandoned, 603  
 Scot, Dr., 307  
 Scotland, its state under Cromwell, 40; a rebellion designed there, 225; a rising in favour of King James II., 538, 539, 540; another defeated by Livingston, 560; changes in the Ministry there, 567, 597; the project of Darien, 620, 630, 652; miscarrying, raises great discontents, 662; a Plot there in favour of the pretended Prince of Wales, 736, 737, 746, 747; the Union how treated there, 791, 792, 798, 799, 801; the Customs there mismanaged, 803; a Privy Council kept up, 805, 815, 823; taken away by Parliament, *ib.*; an invasion from France miscarries, *ib.*, 824, 825; the Scotch members are divided, 835; treason and trials of it made the same there as in England, 836, 837; the Scotch Peers retire from the House of Lords, 881; but are prevailed with to return, *ib.*; move to dissolve the Union, 897  
 Scots, the, enter England, 15; treat with King Charles II., 33; settle at Darien, and pursue it at a vast expense, 651, 652; driven from it by the Spaniards, 662  
 Scougal, Bishop of Aberdeen, his character, 147  
 Scroggs, Chief Justice, 297 and note, 311, 320, 330  
 Seafield, Earl of, 738, 800  
 Seaton, Lord Balmerinloch, 3  
 Sea, squadrons at, 537, 541, 553, 554, 555, 570, 638, 639, 716, 717, 718, 734, 735, 756, 757,

758, 777, 794, 809, 810, 815, 817, 833, 846, 871  
 Sedley, Sir Charles, 179, 180 and note  
 Sedley, Catherine, Mistress to James II., 114, 435 and note  
 Seymour, 169, 244; his character, 255 and note; the King refuses him for Speaker, 301 and note; is impeached, 320, 327, 409; joins the Prince of Orange and proposes an association, 502; is Governor of Exeter, *ib.*; comes into the Ministry, 575; opposes the Court, 589, 624, 676, 725; made Comptroller by Queen Anne, 706; is dismissed, 752  
 Seymour, is made a Peer, 726  
 Seignelay, 535, 580  
 Semple, 158  
 Serjeant, 133, 310  
 Shaftesbury, Earl of, his character, 64 and note, 180, 203; advises the shutting up the Exchequer, 204, 205\*; made Lord Chancellor, 206, 229; opposes the King's declaration, 230, 233, 239; for resistance, 241 and note, 256, 257, 258, 262, 267; sent to the Tower, 268; discharged upon submission, 286, 287, 290, 302, 303; made President of the Council, against the Bishops' votes in cases of treason, 306; for the Exclusion, 311, 316, 320, 326; sent to the Tower, 333; acquitted by the Grand Jury, 335, 337; leaves England, 348, 352, 355  
 Sharp, sent as agent by the resolutioners, 42 and note; betrays their interest, 60, 74, 79, 81, 87; made Archbishop of St. Andrews, 89; nominates all the Bishops except Leighton, *ib.*, 91, 92; by proclamation hinders the meeting of Presbyteries, 93, 101; his behaviour to Lauderdale, 138; his violence, 141, 142, 143; accuses Lauderdale, 144; retracts it, *ib.*; for excommunicating Burnet, 147; severe to the prisoners, 159, 160; turned out from being President of the Convention, 161; returns to Council, 163, 165, 166; an attempt to murder him, 187, 192, 195, 200, 225; he discovers who it was, 274; is afterwards murdered, 312, 313 and note  
 Sharp, Dr. John, 307; preaches against Popery, 430; made Archbishop of York, 568 and note  
 Sheldon, Dr., 88, 91; Archbishop of Canterbury, 120 and note; at the Savoy conference, 122, 125; the strictness of the act of uniformity imputed to him, 126, 131, 142; for the five mile act, 152, 164, 166, 170, 206; his death, 262  
 Shening, General, 583  
 Shepherd, 352, 373

Sheridon, 321  
 Sheriffs of London, disputes about their election, 318, 347  
 Sherlock, Dr., 307, 430; leaves the Jacobites, and made Dean of St. Paul's, 565, 649  
 Short, Dr., poisoned for talking of King Charles's death, 393  
 Shovel, made commissioner of the Admiralty, 585; is sent to the Mediterranean, 735, 741, 756, 758; besieges Toulon by sea, 809 and note; cast away upon the rocks of Scilly, 815  
 Shrewsbury, Earl of, meetings at his house in favour of the Prince of Orange, 452; his character, 484; goes over to Holland, 487, 495, 502, 504, 507, 518; is made secretary of state, 525, 533; resigns, 551, 585; again made secretary, 599 and note; practices against him, 636, 637; made lord chamberlain to Queen Anne, 852; sent ambassador to France, 890  
 Sibbald, Sir Robert, 433; and note  
 Sicily, an earthquake there, 583  
 Sidney, Mr., in high favour with the Prince of Orange, 480; his character, 485, 495; secretary of state, lieutenant of Ireland, and master of the ordnance, 528; made Lord Sidney, and afterwards Earl of Romney, *ib.* See ROMNEY.  
 Sidssefe, Bishop of Galloway, translated to Orkney, 89  
 Simpson, a spy, 545; in a plot, *ib.*  
 Skelton, envoy at the Hague, 401, 410; and at Paris, 450; is sent to the Tower, 488  
 Smith, Sir Jeremy, seizes Spanish money in a Dutch ship, 47  
 Smith, a priest, 298, 324, 332  
 Smith, Aaron, sent to Scotland, 354, 360  
 Smith, a spy, his letters, 636, 637  
 Smith, Mr., his character, is chosen speaker, 781  
 Smyrna fleet attacked by the French, 592, 593  
 Sobieski, King of Poland, raises the siege of Vienna, 385; beats the Turks, 603; his death, 639  
 Sobieski, his son, seized by a party at Breslaw, 734  
 Socinianism, its great progress, 648, 649, 650  
 Soissons, Madame de, 202  
 Solmes, Count, 507, 582, 591  
 Somers, Mr., answers King Charles's declaration, 329, 335; solicitor-general, 548; made attorney-general, and soon after lord-keeper, 587; his expedient against clipping, 612; his account of Charnock, *ib.*; his administration applauded, 652; attacked in the House of Commons on Kid's affair, and cleared by a great majority, 663, 664;



- is dismissed, and his character, [666](#); designs against him, [679](#), [680](#); is heard at the bar of the House of Commons, [680](#); is impeached, [681](#), [685](#), [686](#); and acquitted by the House of Lords, [688](#), [780](#); his act for the amendment of the law, [787](#), [788](#); a principal manager in the union, [799](#), [802](#), [819](#); made president of the council, [834](#); is dismissed, [836](#)
- Someraset, Earl of, [4](#), [8](#)
- Someraset, Duke of, [31](#)
- Someraset, Duke of, [708](#), [732](#), [750](#), [817](#), [821](#), [857](#)
- Someraset, Duchess of, groom of the stole, [862](#)
- Sophia, Princess. See [HANOVER](#)
- South, Dr., writes against Sherlock, [650](#)
- Southampton, Earl of, his account of Eikon Basilike, [31](#); angry at calling home the king without conditions, [59](#); his character, [63](#) and note; against a standing army, [103](#); visits not the king's mistresses, [121](#); moderate in church matters, [121](#), [152](#); his death, [168](#) and note
- Southesk, Earl of, jealous of the Duke of York, [154](#)
- South Sea Company elected, [869](#)
- Southwell, Sir Robert, his authority quoted, [112](#), [556](#)
- Spanheim, Baron, his character, [369](#); his account of the French councils on the King of Spain's death, [672](#)
- Spanish Armada, how diverted for a year, [210](#)
- Spanish Netherlands. See [NETHERLANDS](#)
- Spain. See [CHARLES II.](#), [CHARLES III.](#), [PHILIP V.](#)
- Spence put to the torture, [278](#)
- Spotswood, his History censured, [2](#), [12](#), [15](#)
- Spragge, [205](#)
- Sprat, Bishop of Rochester, [131](#), [691](#), [692](#); his death, [902](#) and note
- Squadroni carry the union in Scotland, [800](#), [803](#)
- Stafford, Lord, [295](#), [298](#); his trial, [323](#); condemned, [325](#); he sends for Dr. Burnet, [326](#) and note; his execution, [326](#), [337](#)
- Stair, Earl of, a great manager for the union, [798](#), [800](#), [801](#)
- Staley, his trial, [287](#)
- Stanhope, Envoy in Holland, [677](#)
- Stanhope, General, his son, at the siege of Barcelona, [776](#); procures relief to Spain, [790](#), [820](#); manager at Dr. Sacheverell's trial, [848](#); gains the battle of Almanara, [857](#); taken at Brihuega, [858](#), [859](#), [902](#)
- Stanislaus, chosen in the room of Augustus, King of Poland, and crowned, [760](#), [778](#); Augustus resigns in his favour, [808](#); but obliges him to quit the kingdom, [844](#)
- Staremberg, Count, his march in Italy, [733](#); joins the Duke of Savoy, *ib.*; commands in Spain, [820](#), [844](#); defeats King Philip, [858](#); delays relieving Stanhope, [858](#), [869](#); routs the Duke of Vendôme, [862](#)
- States General. See [DUTCH](#)
- Sterne, Archbishop of York, [382](#) and note
- Steenbock, a Swedish general, [393](#), [895](#)
- Steenkirk, battle of, [581](#)
- Steward, Dr., his notion about the sacrament, [115](#)
- Steward, sent to Queen Elizabeth, [202](#)
- Steward, a lawyer, his letters to Fagel, [463](#)
- Steward, Sir James, [836](#)
- Stillington, Dr., [128](#) and note, [129](#), [206](#), [308](#), [430](#), [606](#)
- Stoupe, Brigadier, [42](#), [48](#), [49](#), [50](#), [51](#), [223](#), [422](#), [423](#)
- Strafford, Earl of, [16](#); given up by the king, [19](#); his death raised his character, [30](#), [634](#)
- Strafford, Earl of, sent ambassador to Holland, [874](#), [889](#), [893](#); has the garter, [892](#), [893](#)
- Stralsund, the siege of, [872](#)
- Strickland, Admiral, [480](#)
- Stuart, Mrs., marries the Duke of Richmond, [139](#) and note
- Sunderland, Earl of, plenipotentiary at Cologne, [234](#), [235](#); ambassador in France, [280](#); secretary of state, [302](#); at first opposes the exclusion, [303](#), [317](#); in confidence with the Prince of Orange, *ib.*; declares for the exclusion, [319](#); and against a Prince Regent, [327](#); is again secretary of state, [348](#), [389](#), [390](#), [400](#); made president of the council, [419](#); advises moderate measures, [480](#); turns papist, *ib.*; advises the rejecting a French army, [487](#); is turned out, [497](#); in high credit with King William, [588](#), [599](#), [619](#); for a council of trade named by parliament, [621](#); and for a land bank, [625](#); for a large standing force, [646](#); retires from business, [745](#)
- Sunderland, Earl of, his son, for the union, [802](#)
- Sunderland, Countess of, [477](#), [498](#)
- Sweden, King of, [53](#); his death, [641](#), [642](#), and note
- Sweden, King of, his son, mediator at Ryswick, [642](#); his coronation, [655](#); a formidable alliance against him, [660](#); the English fleet protects him, and forces Denmark to a peace, [667](#), [668](#); he overcomes the Kings of Denmark and Poland, and the Czar, in one campaign, [675](#); his war in Poland, beats King Augustus, and takes Cracow, [716](#), [734](#); procures Stanislaus to be chosen King of Poland, [760](#); drives Augustus into Saxony, [760](#), [761](#); his successes in Poland, [778](#); marches into Saxony, [798](#); forces Augustus to resign his crown, [807](#); his character, [808](#); makes the emperor restore the churches in Silesia, [813](#), [814](#); is defeated at Pultowa, and flies to Turkey, [844](#); his character by Bishop Robinson, [844](#) and note; his troops beat the Danes, [846](#); a plague in Sweden, [859](#); he procures a war between the Turk and Czar, [866](#); tries to break the peace made between them, [872](#), [893](#); defends himself at Bender against an army, [895](#); is at last forced to surrender, *ib.*
- Swinton, [73](#), [85](#)
- Swiss Cantons, [813](#)

## T.

- Taff, an evidence in trials of treason, [609](#)
- Talbot, Sir Gilbert, envoy in Denmark, [150](#)
- Talbot, Richard, [120](#); opposes the Duke of Ormond, [180](#); is made Earl of Tircconnell, [419](#). See [TIRCONNELL](#)
- Talbot, Dr. Bishop of Oxford, [802](#); speaks against Sacheverell, [851](#), and note
- Talmash, General, [571](#), [572](#); killed at Camaret, [602](#)
- Tallard, Marschal, [712](#), [730](#), [754](#); taken at Blenheim, [754](#)
- Tarbet, Lord Middleton's favourite, [97](#), [99](#), [100](#); is made Earl of Cromarty, [733](#). See [CROMARTY](#)
- Tasborough, [299](#)
- Tekely, Count, [366](#)
- Temple, Sir William, [171](#); ambassador to Holland, [171](#) and note; his character, [251](#) and note; plenipotentiary at Nimeguen, [280](#), [311](#); proposes treating with Tircconnell, [512](#)
- Tennison, Dr., his character, [130](#), [307](#), [396](#), [414](#), [430](#); made Archbishop of Canterbury, [606](#), [607](#)
- Terrae, Earl of, [379](#)
- Terwhit, Sir Philip, [263](#)
- Tesse, Marschal, [424](#), [758](#), [793](#), [807](#)
- Thomas, Bishop of Worcester, [528](#); deprived, [568](#)
- Throgmorton and his Lady turn papists, [263](#)
- Thurlo, [43](#), [51](#), [52](#)
- Tiddiman beat by the Dutch at Berghen, [151](#)
- Tillotson, Dr., [52](#); his character, [128](#) and note, [155](#), [207](#), [305](#), [364](#), [430](#); made Archbishop of Canterbury, [568](#); his death and character, [605](#), [649](#)
- Tircconnell, Earl of, made lieutenant



of Ireland, [434](#), [507](#), [510](#), [511](#), [534](#), [556](#), [560](#)  
 Tirol, the Boors there repel the Duke of Vendome, [729](#)  
 Titus, Colonel, [4](#), [27](#)  
 Toland, [690](#)  
 Tonge, Dr., his account of the Popish Plot, [281](#) and note, [284](#); his death, [337](#)  
 Torcy, Marquis de, [840](#), [841](#), [854](#), [855](#)  
 Tories taken in by King William, [347](#), [666](#), [673](#); and by Queen Anne, [706](#), [707](#), [856](#)  
 Torrington, Earl of (see HENBERT), is first commissioner of the Admiralty, [528](#); fights the French at Bantry Bay, [537](#), [553](#); and near Beachy, [555](#); sent to the Tower, *ib.*; tried by a court martial, and acquitted, [563](#), [564](#)  
 Toulon, design on it, [807](#); miscarries, [809](#), [810](#), [860](#)  
 Toulouse, Count de, engages Rook, [757](#)  
 Tourville, a French Admiral, [579](#), [593](#)  
 Townsend, Lord, [802](#); plenipotentiary at the Hague, his character, [841](#); recalled, [873](#); censured by the House of Commons for the Barrier Treaty, [883](#), [885](#)  
 Traquair, Earl of, [13](#), [14](#), [15](#)  
 Treaty, of Barrier with the Dutch, the first, [882](#), [883](#); the second, [893](#), [894](#); of Commerce with France, [896](#), [897](#), [898](#); of Comprehension, [175](#), [185](#), [542](#), [543](#), [544](#); of union with Scotland, [792](#), [798](#), [879](#), [804](#), [805](#); of Partition, the first, [626](#), [660](#), [661](#), [668](#), [676](#), [677](#), [678](#), [679](#), [681](#)  
 Treaty at Carlowitz, [644](#); at Cologne, [233](#), [234](#); at Nimeguen, [280](#); at Ryswick, [641](#), [642](#), [643](#); at Utrecht, [874](#), [884](#), [885](#), [886](#), [894](#), [895](#)  
 Treby argues for the City charter, [328](#), [349](#) and note, [350](#)  
 Trelawny, General, [486](#)  
 Trenchard, [358](#), [360](#); secretary of state, [587](#)  
 Treville, Count de, [203](#), [368](#)  
 Trevor, Sir John, Master of the Rolls, First Commissioner of the Great Seal, and Speaker, [549](#); is expelled the House of Commons, [611](#)  
 Trevor, Chief Justice, [743](#); made a peer, [878](#)  
 Trial, of Ashton, [564](#); of Berry, Green, and Hill, [256](#); of Charnock, [625](#); of Friend, [626](#); of Hone, [345](#); of the Jesuits, [294](#), [308](#); of Keys, [625](#), [626](#); of King, *ib.*; in Lancashire, [609](#), [610](#)  
 Trial of Perkins, [626](#), [627](#); of Lord Preston, [565](#)  
 Trinnell, Dr., made Bishop of Norwich, [802](#), [851](#)  
 Trumbull, Sir William, [488](#), [583](#), [637](#)

Turbervil deposes against Lord Stafford, [323](#), [325](#); discovers a plot at Oxford, [332](#); his death, [337](#)  
 Turenne, Mareschal, [221](#); his character of the Duke of York, [322](#)  
 Turin, siege of, [796](#); raised, [797](#), [798](#)  
 Turks, their wars, [603](#), [617](#), [629](#), [644](#); make peace with the emperor, [644](#), [645](#), [660](#); and with the czar, [846](#), [866](#), [871](#), [872](#)  
 Turner, the jesuit, [308](#)  
 Turner, Sir James, [144](#), [158](#), [165](#), [166](#)  
 Turner, made Bishop of Ely, [382](#), [383](#) and note, [403](#), [404](#); attends the Duke of Monmouth at execution, [413](#); absents from parliament, [528](#); corresponds to St. Germain, [564](#), [565](#); is deprived, [568](#)  
 Turner, Sir William, [181](#)  
 Turnham Green, a lane near, designed for the assassination, [623](#)  
 Tweedale, Earl of, his character, [71](#); against Guthry's execution, [85](#); imprisoned, [86](#), [143](#), [163](#); made an English privy counsellor, [165](#), [166](#), [187](#), [189](#), [194](#), [195](#), [316](#), [338](#); made a marquis and chancellor, [575](#); and king's commissioner, [617](#); is dismissed, [620](#); made queen's commissioner, [761](#); promotes the union, [800](#)  
 Tyrawley, Lord, [860](#)

## U.

ULM, [714](#), [754](#)  
 Usher, Archbishop, proposes to unite the Episcopal and Presbyterian churches, [93](#)  
 Uxelles, Marquise de, Plenipotentiary at Gertruydenberg, [855](#)

## V.

VALENTIA declares for King Charles, [790](#); reduced, [809](#)  
 Valiere, Mademoiselle, her intrigue, [202](#)  
 Valiere, Duchess of, [368](#)  
 Valiere, a spy, [822](#)  
 Vanbeuning, his character, [220](#)  
 Vanderdussen, plenipotentiary at Gertruydenberg, [855](#)  
 Vandyke, the painter, [9](#)  
 Van Ghent, Dutch Admiral, sent to the Frith, [163](#)  
 Van Hulst, [425](#)  
 Vane, Sir Henry, [27](#), [107](#); his character and execution, [108](#) and note  
 Vauban, a great engineer, [615](#)  
 Vandemont, Prince of, covers the siege of Namur, [614](#), [692](#)  
 Vaughan, Chief Justice, [152](#) his character, [260](#)

Velasco, [776](#)  
 Vendome, Duke de, [638](#), [693](#), [715](#), [749](#), [733](#), [759](#), [774](#), [791](#), [795](#), [809](#), [829](#), [858](#), [869](#)  
 Venetians, the, own King William, [602](#); their wars with the Turks, [603](#), [628](#); neutral in the French war, [679](#), [692](#), [712](#)  
 Venner, his fury, [105](#), [106](#), and note  
 Vernon, secretary of state, [678](#), [679](#)  
 Veterani, General, killed by the Turks, [617](#)  
 Vienna besieged by the Turks, [367](#)  
 Vigo, the expedition there, [717](#), [718](#)  
 Villa Hermosa, [270](#)  
 Villa Viciosa, battle of, [858](#)  
 Villars, Mareschal, [715](#), [727](#), [728](#), [772](#), [759](#), [772](#), [795](#), [801](#), [812](#), [813](#), [842](#), [813](#), [853](#), [870](#), [891](#)  
 Villeroi, Mareschal, [614](#), [615](#), [692](#), [693](#), [728](#), [754](#), [755](#), [794](#)  
 Virginia, a college founded there, [596](#), [597](#)

## W.

WARR, [404](#)  
 Wake, Dr., [430](#); made Bishop of Lincoln, [767](#); his character, [851](#)  
 Wakeman, his trial, [285](#), [810](#)  
 Walcot, [356](#); his trial and execution, [364](#)  
 Waldeck, Prince of, his character, [219](#); loses the battle of Fleurus, [554](#), [555](#); saves Brussels, [570](#)  
 Walgrave, [478](#)  
 Walker, [430](#)  
 Wallace, [158](#)  
 Waller, [259](#) and note  
 Walpole, [877](#)  
 Walsh, his character, [134](#) and note  
 Walsingham, his instructions to Wignmore, [2](#); gets intelligence of the Spanish Armada's design, [208](#)  
 Ward, Sir Peter, [351](#)  
 Ward, Dr. Seth, [131](#), [132](#) and note  
 Waristoun, [15](#), [36](#), [73](#), [85](#); his execution, [139](#)  
 Warner, Bishop, Magna Charta in his hands, [19](#)  
 Warrington, Earl of, Chancellor of the Exchequer, [527](#) and note  
 Warwick, Sir Philip, [63](#)  
 Watson, Bishop of St. David's, deprived for simony, [657](#), [658](#), [671](#)  
 Webb, General, his success at Wyndandal, [823](#)  
 Wentworth, Lady, [404](#), [414](#) and note, [498](#)  
 West, [355](#), [356](#), [357](#), [359](#), [364](#), [374](#)  
 Weston, [321](#)  
 Weymouth, Viscount, [506](#), [706](#)  
 Wharton, Lord, [15](#), [267](#), [515](#), &c. Lieutenant, of Ireland, [769](#); dismissed, [857](#)



Wharton, Sir Miles, refuses a peerage, [877](#)  
 Whicheot, Dr., [127](#) and note  
 Whiggamore inroad, [26](#)  
 Whigs turned out, [458, 550](#); taken in, [587](#); lose their credit, [647, 719](#); turned out, [666, 673](#); taken in [779, 834](#); turned out, [855, 856](#)  
 Whiston, Mr., [867, 868](#)  
 Whitby, Dr., [430](#)  
 White, Bishop of Peterborough, absents from Parliament, [528](#); deprived, [569](#); attends Sir John Fenwick, [638](#)  
 Whitebread, his trial, [294, 302](#)  
 Whitford, Bishop, [14](#)  
 Whitford, his son, [433](#)  
 Whitlock, [23](#)  
 Wicquefort, [249](#) and note  
 Widdrington, Lord, [266](#)  
 Wildman, [43, 357, 402, 494, 495, 498, 517](#)  
 Wilkins, Dr., [127](#) and note; his character, [42](#); Bishop of Chester, [171, 175, 177, 184](#)  
 Wilkison, [333](#)  
 William III., Joint Sovereign with Queen Mary, (see [ORANGE](#)), [525](#); his favour to Bentinck and Sydney, [527](#); his first Ministry, [527, 528](#); his speech, [529, 531](#); grows jealous of the Whigs, [532](#); proposes naming the Duchess of Hanover in the succession, [533](#); joint Sovereign of Scotland, [538](#); his Ministry there, [538, 539](#); the Whigs jealous of him, [544, 545](#); refuses his assent to the Corporation Act, [547](#); takes in Tories, [548, 550](#); the administration in the Queen in his absence, [549, 550](#); his discourse to Dr. Burnet, [551, 557](#); wounded by a cannon-ball, [553](#); gains the battle of the Boyne, [554, 555, 556](#); a design to assassinate him, [556, 557, 558](#); besieges Limerick, and forced to raise the siege, [559](#); his equal temper, *ib.*; goes to a congress of Princes at the Hague, [565, 566](#); changes his ministry in Scotland, [567](#); fills the vacant sees, [568, 569](#); Ireland reduced, [572](#); he supports Savoy, [566, 574](#); fond of the Dutch, [575](#); careless in signing papers, [577](#); his breach with the Princess of Denmark, [578](#); loses Namur, and the battle of Steenkirk, [581, 584](#); refuses his assent to the triennial Bill, [587](#); takes in

Whigs, [587, 598](#); grows unpopular, [589, 590](#); loses the battle of Landen, [591](#); leaves church-affairs to the Queen, [595](#); founds the William and Mary College in Virginia, [596, 597, 601](#); sends a fleet to protect Spain, [602](#); another to bombard the French coast, [603](#); his grief for Queen Mary's death, [607](#); a design to assassinate him, [613](#); reconciled to the Princess of Denmark, *ib.*; appoints Lords Justices, *ib.*; takes Namur, [615, 616](#); a conspiracy to assassinate him and invade England, [622](#); the conspirators seized, [623](#); the invasion broke, *ib.* [628, 637, 638](#); sends a squadron to the West Indies, [639](#); concludes a peace at Ryawick, [641, 642, 643, 645](#); keeps 3000 men more than were provided for by Parliament, [648](#); silences disputes about the Trinity, [650](#); is opposed with bitterness, [653, 654](#); the army reduced to 7000, how modelled, [655](#); his partition treaty, [656, 660, 661](#); loses the people's affections, [665, 669](#); takes in Tories, [665, 666, 673](#); makes a peace between Denmark and Sweden, [667](#); his conduct on the King of Spain's death, [673, 674, 675](#); it is very mysterious, [676, 677, 681](#); owns the Duke of Anjou King of Spain, [682](#); is reserved to his Ministers, [688, 689](#); recalls his Ambassador in France, [697](#); his noble and speech, *ib.*; his fall from a horse, [700](#); his sickness, [700, 701](#); his death, [701, 702](#); passes the Abjuration Act in the last hours of his life, [702](#); his character, [702, 703](#); attempts against his grants, [865, 888, 889](#)  
 Williams, Bishop, [30](#)  
 Williams, Dr., [307, 430](#)  
 Williams, Sir William, [384, 469](#)  
 Williamson, Sir Joseph, Plenipotentiary at Cologne, [234](#) and note, [249](#)  
 Williamson seized going over to King James, [544](#)  
 Wilmot, Earl of Rochester, [241](#)  
 Willis, Sir Richard, gives Cromwell intelligence, [43](#) and note  
 Willis, Dr., [154](#)  
 Windebank, Dr., [478](#)  
 Winnington, [292, 301, 302, 312](#)  
 Wirttemberg, Duke of, [294](#)

Wishart, Bishop of Edinburgh, [94](#) and note  
 Wiemar, siege of, raised, [872](#)  
 Witherley, Dr., [477](#)  
 Withins, [321](#) and note  
 Wolfenbuttle, Duke of, [667, 694, 711](#); his daughter marries King Charles of Spain, [811](#)  
 Worcester, Marquis of, [320](#)  
 Worthington, Dr., his character, [128](#) and note  
 Wratislaw, Count, [752](#)  
 Wright, Chief Justice, [470](#)  
 Wright, Sir Nathan, Lord Keeper, [666, 751](#); dismissed, [778](#)  
 Wyche, Sir Cyril, one of the Lords Justices in Ireland, [596](#)  
 Wyld, Judge, [298](#)  
 Wynne, [535](#)

## Y.

York, Duke of, [48, 49](#); marries Clarendon's daughter, [113](#); why he turned Papist, [114](#) and note; commands the fleet, [148](#); his amours, [153, 154, 182, 203, 222, 231](#); lays down all his commissions, [233](#); addresses Lady Bellasis, *ib.*; marries the Princess of Modena, *ib.*; the Commons vote against that marriage, [239, 252, 292](#); sent beyond sea, [300](#) and note; his exclusion endeavoured, [305, 306](#) and note; he is sent for home, [271, 272](#); goes to Scotland, [316](#); with leave to come to England, [318](#); his behaviour in Scotland, [337, 338, 339, 344](#) and note, [345](#); he governs all affairs, English and Scotch, [377, 378](#); attends the King in his last illness, and introduces Huddleston to his apartment, [391, 392](#). See [JAMES II.](#)  
 York, Hyde, Duchess of, [115, 207](#)  
 York, Modena, Duchess of (see [QUEEN MARY](#)), [244](#)

## Z.

Zanon, Count, sent to the King of Sweden, [813](#)  
 Zeiber, [760](#)  
 Zell, Duke of, [566, 652, 660, 667, 711](#)  
 Zouch, [250](#)  
 Zulestein, [185, 479, 506](#)

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